

Part 81 and 82 Draft Regulation Comments

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
1	§ 81.1(a)	What is the purpose of this part?	(a) This part prescribes the manner in which Secretarial elections are authorized for and conducted on behalf of Indian tribes with governing documents, laws or charters of incorporation requiring Secretarial approval or elections, and Indian tribes reorganized or seeking reorganization or a charter of incorporation under the Indian Reorganization Act, 25 U.S.C. 476, as amended, the Oklahoma Indian Welfare Act (OIWA), 25 U.S.C. 503, or the Alaska Native Reorganization Act, (ANRA), 25 U.S.C. 473a.	Not in regulations: 25 USC 476 (h) - should be in preamble - Note: it is 81.1	SAC	106
2	§ 81.1(b)	What is the purpose of this part?	(b) This part applies:	81.1 needs clarification on applicability or expanded upon	SAC	58
3	§ 81.1(b)(1)	What is the purpose of this part?	(1) When an Indian tribe requests an election to reorganize under the IRA by adopting a proposed constitution, amending, or revoking an existing constitution and bylaws or ratifying and amending a charter of incorporation adopted under a Federal statute, whenever tribal law or an existing charter adopted under a Federal statute requires a vote by the members;			
4	§ 81.1(b)(2)	What is the purpose of this part?	(2) To Indians tribes in Oklahoma organizing and adopting constitutions pursuant to the OIWA or the Secretary's general authority in Indian Affairs;			

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5	§ 81.1(b)(3)	What is the purpose of this part?	(3) To any Federally recognized Indian tribes in Alaska not recognized prior to May 1, 1936, that have a common bond of occupation, association, or residence within a well-defined neighborhood, community, or rural district and organize to adopt a constitution and receive a charter of incorporation under the ANRA; and	Would defining "residency" by tribal constitutions create inconsistency?	OKC	50
6	§ 81.1(b)(4)	What is the purpose of this part?	(4) To Indian tribes adopting constitutions and bylaws under the IRA, OIWA, ANRA, or in instances where an Indian tribe's IRA, OIWA, or ANRA constitution requires Secretarial approval of an amendment, or when an Indian tribe amends it's IRA, OIWA, or ANRA constitution with the intent to remove the requirement of Secretarial approval for future amendments.	Closure of BIA offices and remoteness to fed government = part of motivation to leave IRA. Also, problem of dual government with some tribes.	AK	29
6	§ 81.1(b)(4)	What is the purpose of this part?	(4) To Indian tribes adopting constitutions and bylaws under the IRA, OIWA, ANRA, or in instances where an Indian tribe's IRA, OIWA, or ANRA constitution requires Secretarial approval of an amendment, or when an Indian tribe amends it's IRA, OIWA, or ANRA constitution with the intent to remove the requirement of Secretarial approval for future amendments.	If remove Secretarial approval, what are consequences for tribe? What are repercussions of not being IRA? What is the basis for saying it's a non-IRA tribe?	AK	33

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6	§ 81.1(b)(4)	What is the purpose of this part?	(4) To Indian tribes adopting constitutions and bylaws under the IRA, OIWA, ANRA, or in instances where an Indian tribe's IRA, OIWA, or ANRA constitution requires Secretarial approval of an amendment, or when an Indian tribe amends it's IRA, OIWA, or ANRA constitution with the intent to remove the requirement of Secretarial approval for future amendments.	If IRA tribe elects not to have a Secretarial Election, must first hold a Secretarial Election and have that approved?	AK	22
6	§ 81.1(b)(4)	What is the purpose of this part?	(4) To Indian tribes adopting constitutions and bylaws under the IRA, OIWA, ANRA, or in instances where an Indian tribe's IRA, OIWA, or ANRA constitution requires Secretarial approval of an amendment, or when an Indian tribe amends it's IRA, OIWA, or ANRA constitution with the intent to remove the requirement of Secretarial approval for future amendments.	If you remove the requirement for Secretarial approval of your governing document, than it is no longer an IRA document.	AK	27
6	§ 81.1(b)(4)	What is the purpose of this part?	(4) To Indian tribes adopting constitutions and bylaws under the IRA, OIWA, ANRA, or in instances where an Indian tribe's IRA, OIWA, or ANRA constitution requires Secretarial approval of an amendment, or when an Indian tribe amends it's IRA, OIWA, or ANRA constitution with the intent to remove the requirement of Secretarial approval for future amendments.	Would like to remove Secretarial approval frpm the amendment provision, and would like laws to apply to non-members within the community.	AK	23
7	§ 81.1(c)	What is the purpose of this part?	(c) Where a discrepancy might appear to exist between this part and a specific requirement of the Federal statute governing the reorganization of an Indian tribe or ratification and amendment of charters of incorporation, these regulations must be interpreted to conform to the statute.			

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8	§ 81.2(a)	Will the Secretarial Election follow the requirements of Indian tribe's constitution and laws?	(a) Secretarial elections are conducted as prescribed in this part unless the amendment article of the Indian tribe's constitution and bylaws or charter of incorporation provides otherwise, in which case the provisions of those documents rule where applicable.	If only class of citizens in the original charter can vote again, then if the requirements for membership have changed, has that also changed the voter list?	OKC	27
8	§ 81.2(a)	Will the Secretarial Election follow the requirements of Indian tribe's constitution and laws?	(a) Secretarial elections are conducted as prescribed in this part unless the amendment article of the Indian tribe's constitution and bylaws or charter of incorporation provides otherwise, in which case the provisions of those documents rule where applicable.	If a tribe's criteria for eligibility is used for voting and there is a change in membership requirements, does the class of voters also change? Does it fall into what you would call class of citizens' membership?	OKC	26
8	§ 81.2(a)	Will the Secretarial Election follow the requirements of Indian tribe's constitution and laws?	(a) Secretarial elections are conducted as prescribed in this part unless the amendment article of the Indian tribe's constitution and bylaws or charter of incorporation provides otherwise, in which case the provisions of those documents rule where applicable.	Reg requires same class of people who voted on first election to vote on amendments. So, original class needs to be known and agreed upon between tribe and Bureau before authorizing elections.	OKC	24
8	§ 81.2(a)	Will the Secretarial Election follow the requirements of Indian tribe's constitution and laws?	(a) Secretarial elections are conducted as prescribed in this part unless the amendment article of the Indian tribe's constitution and bylaws or charter of incorporation provides otherwise, in which case the provisions of those documents rule where applicable.	class of voters needs to be clarified. "if you adopt that first constitution and then you have all sorts of exclusions, then those who voted in the first one wouldn't be allowed to vote in the subsequent elections."	Minn	31
8	§ 81.2(a)	Will the Secretarial Election follow the requirements of Indian tribe's constitution and laws?	(a) Secretarial elections are conducted as prescribed in this part unless the amendment article of the Indian tribe's constitution and bylaws or charter of incorporation provides otherwise, in which case the provisions of those documents rule where applicable.	Need to clarify the absentee provisions-does provision of the tribal constitution apply?	Minn	29

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9	§ 81.2(b)	Will the Secretarial Election follow the requirements of Indian tribe's constitution and laws?	(b) Deference will be given to the Indian tribe's reasonable interpretation of its own laws. However, the Secretary retains authority to interpret tribal law when:	Look at 81.2(b) again.	Pala	33
9	§ 81.2(b)	Will the Secretarial Election follow the requirements of Indian tribe's constitution and laws?	(b) Deference will be given to the Indian tribe's reasonable interpretation of its own laws. However, the Secretary retains authority to interpret tribal law when:	Are you putting some language in there that states that eligible voters are determined by the tribe's provisions in their constitution?	SAC	77
10	§ 81.2(b)(1)	Will the Secretarial Election follow the requirements of Indian tribe's constitution and laws?	(1) Necessary to carry out the government-to-government relationship with the tribe; or			
11	§ 81.2(b)(2)	Will the Secretarial Election follow the requirements of Indian tribe's constitution and laws?	(2) A provision, result, or interpretation is contrary to Federal law.			
12	§ 81.2(c)	Will the Secretarial Election follow the requirements of Indian tribe's constitution and laws?	(c) Secretarial elections are not scheduled at the same time as tribal elections to avoid confusion resulting from differing requirements for tribal and Secretarial elections.			
13	§ 81.3(a)	Are all Indian tribes subject to this part?	(a) The following Indian tribes are not subject to this part:			
14	§ 81.3(a)(1)	Are all Indian tribes subject to this part?	(1) Tribes that have voted to exclude themselves from the provisions of the Indian Reorganization Act;			
15	§ 81.3(a)(2)	Are all Indian tribes subject to this part?	(2) Tribes that have amended their constitutions and by-laws or charters of incorporation to eliminate Secretarial approval; or	Add clarification that once Secretarial approval is removed it is no longer an IRA constitution	SAC	108
16	§ 81.3(a)(3)	Are all Indian tribes subject to this part?	(3) Tribes that are otherwise precluded by law from reorganizing under Federal statute.			
17	§ 81.3(b)	Are all Indian tribes subject to this part?	(b) This part applies to each Indian tribe that:			

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18	§ 81.3(b)(1)	Are all Indian tribes subject to this part?	(1) Has governing documents, tribal law, or existing charter of incorporation requiring a Secretarial election;			
19	§ 81.3(b)(2)	Are all Indian tribes subject to this part?	(2) Reorganizes, adopts a proposed constitution, amends or revokes an existing constitution and bylaws, or ratifies or amends a charter of incorporation adopted under the IRA;			
20	§ 81.3(b)(3)	Are all Indian tribes subject to this part?	(3) Is in Oklahoma and proposes to adopt a proposed constitution, amends or revokes an existing constitution and bylaws, or ratifies or amends a charter of incorporation under the OIWA;			
21	§ 81.3(b)(4)	Are all Indian tribes subject to this part?	(4) Has a constitution adopted under the Secretary's general authority that requires a Secretarial election;			
22	§ 81.3(b)(5)	Are all Indian tribes subject to this part?	(5) Is in Alaska and proposes to organize or adopt, amend or revoke a constitution and bylaws, or ratifies or amends a charter of incorporation under the ANRA; or			
23	§ 81.3(b)(6)	Are all Indian tribes subject to this part?	(6) Proposes to revoke a constitution or bylaws adopted under Federal statute.			
24	§ 81.4(a)	Who may cast a vote in a Secretarial election?	(a) Any duly registered member of the Indian tribe that is reorganizing under Federal statute for the first time may cast a vote, regardless of residence.			

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25	§ 81.4(b)	Who may cast a vote in a Secretarial election?	(b) Any member who has registered and is qualified to vote, as defined by the Indian tribe's governing documents or charter, may cast a vote. If no requirements exist, a member who meets the same qualifications as those entitled to vote in the Secretarial election that effected the Indian tribe's reorganization (e.g. age, residence) may cast a vote.	No definition for "resident"	Pala	24
25	§ 81.4(b)	Who may cast a vote in a Secretarial election?	(b) Any member who has registered and is qualified to vote, as defined by the Indian tribe's governing documents or charter, may cast a vote. If no requirements exist, a member who meets the same qualifications as those entitled to vote in the Secretarial election that effected the Indian tribe's reorganization (e.g. age, residence) may cast a vote.	Question concerning limiting voter eligibility to residents only.	Pala	26
25	§ 81.4(b)	Who may cast a vote in a Secretarial election?	(b) Any member who has registered and is qualified to vote, as defined by the Indian tribe's governing documents or charter, may cast a vote. If no requirements exist, a member who meets the same qualifications as those entitled to vote in the Secretarial election that effected the Indian tribe's reorganization (e.g. age, residence) may cast a vote.	Is a registration process required? What if there is only a membership voting process?	OKC	33
25	§ 81.4(b)	Who may cast a vote in a Secretarial election?	(b) Any member who has registered and is qualified to vote, as defined by the Indian tribe's governing documents or charter, may cast a vote. If no requirements exist, a member who meets the same qualifications as those entitled to vote in the Secretarial election that effected the Indian tribe's reorganization (e.g. age, residence) may cast a vote.	What occurs in cases where a tribe does not have a registration process?	OKC	34

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25	§ 81.4(b)	Who may cast a vote in a Secretarial election?	(b) Any member who has registered and is qualified to vote, as defined by the Indian tribe's governing documents or charter, may cast a vote. If no requirements exist, a member who meets the same qualifications as those entitled to vote in the Secretarial election that effected the Indian tribe's reorganization (e.g. age, residence) may cast a vote.	No provisions for people serving in military, college, etc.	Pala	24
25	§ 81.4(b)	Who may cast a vote in a Secretarial election?	(b) Any member who has registered and is qualified to vote, as defined by the Indian tribe's governing documents or charter, may cast a vote. If no requirements exist, a member who meets the same qualifications as those entitled to vote in the Secretarial election that effected the Indian tribe's reorganization (e.g. age, residence) may cast a vote.	Voting eligibiliy of incarcerated no addressed	Pala	23
26	§ 81.5	What terms do I need to know?	For purposes of this part:			
27	§ 81.5	What terms do I need to know?	Amendment means any modification, change, or revision to one or more provisions of an existing constitution adopted or charters of incorporation ratified before 1990 or under the OIWA.			
28	§ 81.5	What terms do I need to know?	Applicable law means any treaty, Executive Order, Act of Congress, or final decision of a Federal court which is applicable to the Indian tribe.			
29	§ 81.5	What terms do I need to know?	Appropriate Request means receipt in the Bureau office having administrative jurisdiction for the Indian tribe, of a valid petition or duly enacted resolution of the recognized governing body of the Indian tribe, as well as the proposed document, tribal constitution and bylaws, amendment or revocation.	appropriate request - clarify defintion --	SAC	21

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
30	§ 81.5	What terms do I need to know?	Authorizing Official means the Bureau official with delegated Federal authority to authorize a Secretarial election, generally the Regional Director or Director of the Bureau.			
31	§ 81.5	What terms do I need to know?	Bureau means the Bureau of Indian Affairs, Department of the Interior.			
32	§ 81.5	What terms do I need to know?	Cast ballot means an official ballot that is cast in the proper manner by a qualified voter. A qualified voter casts a vote by marking a paper ballot and placing it in an official ballot box or delivering an absentee ballot to the Secretarial Election Board; or entering a selection on a voting machine that is certified as accurate and tamper-proof by means acceptable to the Chairperson of the Secretarial Election Board.			
33	§ 81.5	What terms do I need to know?	Charter means a charter of incorporation ratified by qualified voters and issued, pursuant to a Federal statute, by the Authorizing Official to a federally recognized Indian tribe.			
34	§ 81.5	What terms do I need to know?	Constitution or Constitution and Bylaws means an Indian tribe's governing document(s), which prescribe the extent, limitations, and manner the government exercises its sovereign powers			

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35	§ 81.5	What terms do I need to know?	Damaged ballot means an official ballot that has been torn, bent, or otherwise rendered unreadable so that it cannot be properly counted by the Secretarial Election Board. A true duplicate copy must be made of the damaged ballot in the presence of a member of the Secretarial Election Board and substituted for the damaged ballot; clearly labeled "duplicate" and given the same number recorded on the damaged ballot; and counted in lieu of the damaged ballot. Both the damaged and duplicate ballot are retained.	Definitions should be re-looked at for mutilated, etc. ballots.	OKC	109
35	§ 81.5	What terms do I need to know?	Damaged ballot means an official ballot that has been torn, bent, or otherwise rendered unreadable so that it cannot be properly counted by the Secretarial Election Board. A true duplicate copy must be made of the damaged ballot in the presence of a member of the Secretarial Election Board and substituted for the damaged ballot; clearly labeled "duplicate" and given the same number recorded on the damaged ballot; and counted in lieu of the damaged ballot. Both the damaged and duplicate ballot are retained.	Is there somewhere where you define what a damaged ballot is? Maybe need to cross-reference.	ALBQ	103

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35	§ 81.5	What terms do I need to know?	Damaged ballot means an official ballot that has been torn, bent, or otherwise rendered unreadable so that it cannot be properly counted by the Secretarial Election Board. A true duplicate copy must be made of the damaged ballot in the presence of a member of the Secretarial Election Board and substituted for the damaged ballot; clearly labeled "duplicate" and given the same number recorded on the damaged ballot; and counted in lieu of the damaged ballot. Both the damaged and duplicate ballot are retained.	Clarify damaged, spoiled, and mutilated ballot	Pala	36
35	§ 81.5	What terms do I need to know?	Damaged ballot means an official ballot that has been torn, bent, or otherwise rendered unreadable so that it cannot be properly counted by the Secretarial Election Board. A true duplicate copy must be made of the damaged ballot in the presence of a member of the Secretarial Election Board and substituted for the damaged ballot; clearly labeled "duplicate" and given the same number recorded on the damaged ballot; and counted in lieu of the damaged ballot. Both the damaged and duplicate ballot are retained.	Need to clarify distinction between mutilated, invalid, damaged absentee ballot and respective repercussions. Maybe add chart.	OKC	103
36	§ 81.5	What terms do I need to know?	Day means any day of the week, including Saturday, Sunday, and Federal holidays.			
37	§ 81.5	What terms do I need to know?	Director means the Director of the Bureau of Indian Affairs or authorized representative.			
38	§ 81.5	What terms do I need to know?	District Secretarial Election Board means the body of officials, designated by and reporting to the Secretarial Election Board, who administer the Secretarial election at the district level.			

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39	§ 81.5	What terms do I need to know?	Electioneering means campaigning, for or against the adoption, revocation or amendment of a proposed document. Improper electioneering includes, but is not limited to, harassment or intimidation of voters or election officials.			
40	§ 81.5	What terms do I need to know?	Eligible voter means a tribal member who will be 18 years of age or older on the date of the Secretarial election and eligible to register to vote in a Secretarial election.	Clarify definitions of "registered voter" & "eligible voter"	Pala	34
40	§ 81.5	What terms do I need to know?	Eligible voter means a tribal member who will be 18 years of age or older on the date of the Secretarial election and eligible to register to vote in a Secretarial election.	Expand on eligible voter definition	SAC	78
41	§ 81.5	What terms do I need to know?	Eligible Voters List means a list of tribal members eligible to vote in a Secretarial election, which is compiled by an Indian tribe and certified by the tribe's governing body or the Bureau if it maintains the current membership list for the Indian tribe.			
42	§ 81.5	What terms do I need to know?	Federal statute means the Indian Reorganization Act (IRA) 25 U.S.C. 476, 477, as amended, the Oklahoma Indian Welfare Act (OIWA), 25 U.S.C. 503, or the Alaska Native Reorganization Act, (ANRA), 25 U.S.C. 473a.			

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43	§ 81.5	What terms do I need to know?	Final request (as opposed to request for technical assistance) means the Indian tribe's response to the Authorizing Official's technical and legal comments, which may take the form of a petition or tribal resolution from the tribe's governing body, petition or letter from the spokesperson for the petitioners, and the final text of the proposed constitution, amendment or revocation of a constitution, or proposed or amended charter of incorporation.	Rethink final requests -- If need in there or can put with appropriate requests or something like because current version may cause problems	Minn	94
43	§ 81.5	What terms do I need to know?	Final request (as opposed to request for technical assistance) means the Indian tribe's response to the Authorizing Official's technical and legal comments, which may take the form of a petition or tribal resolution from the tribe's governing body, petition or letter from the spokesperson for the petitioners, and the final text of the proposed constitution, amendment or revocation of a constitution, or proposed or amended charter of incorporation.	Need to be really clear on what makes a final request, and work with tribes to educate	Minn	93
43	§ 81.5	What terms do I need to know?	Final request (as opposed to request for technical assistance) means the Indian tribe's response to the Authorizing Official's technical and legal comments, which may take the form of a petition or tribal resolution from the tribe's governing body, petition or letter from the spokesperson for the petitioners, and the final text of the proposed constitution, amendment or revocation of a constitution, or proposed or amended charter of incorporation.	final request - clarify definition and how it is presented	SAC	21

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44	§ 81.5	What terms do I need to know?	Indian means: (1) For purposes of this part, all persons who are members of those tribes listed in the FEDERAL REGISTER pursuant to 25 U.S.C. 479a—1(a), and, (2) any person not a member of one of the listed or eligible to be listed tribes who possesses at least one-half degree of Indian blood.	Are we keeping the definition of "Indian" - is there a need to	Pala	35
44	§ 81.5	What terms do I need to know?	Indian means: (1) For purposes of this part, all persons who are members of those tribes listed in the FEDERAL REGISTER pursuant to 25 U.S.C. 479a—1(a), and, (2) any person not a member of one of the listed or eligible to be listed tribes who possesses at least one-half degree of Indian blood.	Delete defintion of "indian" since it never used	SAC	112
44	§ 81.5	What terms do I need to know?	Indian means: (1) For purposes of this part, all persons who are members of those tribes listed in the FEDERAL REGISTER pursuant to 25 U.S.C. 479a—1(a), and, (2) any person not a member of one of the listed or eligible to be listed tribes who possesses at least one-half degree of Indian blood.	Define "Indian" necessary?	Minn	89
44	§ 81.5	What terms do I need to know?	Indian means: (1) For purposes of this part, all persons who are members of those tribes listed in the FEDERAL REGISTER pursuant to 25 U.S.C. 479a—1(a), and, (2) any person not a member of one of the listed or eligible to be listed tribes who possesses at least one-half degree of Indian blood.	Different definitions for "Indian" between 81 & 82; Also check definition of "member"	OKC	123

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44	§ 81.5	What terms do I need to know?	Indian means: (1) For purposes of this part, all persons who are members of those tribes listed in the FEDERAL REGISTER pursuant to 25 U.S.C. 479a—1(a), and, (2) any person not a member of one of the listed or eligible to be listed tribes who possesses at least one-half degree of Indian blood.	Does "Indian" need to be included in definitions?	OKC	124
45	§ 81.5	What terms do I need to know?	Indian tribe or tribe means: (1) Any Indian entity that has not voted to exclude itself from the Indian Reorganization Act and is included, or is eligible to be included, among those tribes, bands, pueblos, groups, communities, or Alaska Native entities listed in the FEDERAL REGISTER pursuant to 25 U.S.C. 479a—1(a) as recognized and receiving services from the Bureau of Indian Affairs; and (2) any group of Indians whose members each have at least one-half degree of Indian blood for whom a reservation is established and who each reside on that reservation. Such tribes may consist of any consolidation of one or more tribes or parts of tribes.			
46	§ 81.5	What terms do I need to know?	Invalid ballot means a cast ballot discovered at the time votes are counted, which does not comply with the requirements for voting or is not an official ballot. An invalid ballot is not counted when tallying votes cast or determining whether the required percentage of the qualified voters participated in the Secretarial election.			
47	§ 81.5	What terms do I need to know?	Local Bureau Official means the Superintendent, Field Representative, or other official having delegated federal administrative responsibility under this Part.			

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48	§ 81.5	What terms do I need to know?	Local Bureau office means the local administrative office of the Bureau having responsibility for the Secretarial election.			
49	§ 81.5	What terms do I need to know?	Member means any Indian who meets the written criteria of and is duly enrolled with an Indian tribe. In the absence of written criteria, a member is a person recognized by the members of an Indian tribe as belonging to that tribe.	What if "none of us" agree on the membership?	ALBQ	72
50	§ 81.5	What terms do I need to know?	Must is used in place of shall and indicates a mandatory act or requirement.			
51	§ 81.5	What terms do I need to know?	Mutilated ballot means an official ballot that has been damaged to the extent that it is not possible to determine the choice the voter intended to make. There are two kinds of mutilated official ballots:			
52	§ 81.5(1)	What terms do I need to know?	(1) A ballot that is mutilated and not cast. In this case, the mutilated ballot may be exchanged for a new one. If the need arises to exchange a mutilated absentee ballot, no additional time will be provided for the new ballot to be received by the Secretarial Election Board.			
53	§ 81.5(2)	What terms do I need to know?	(2) A ballot that is mutilated and cast. A mutilated cast ballot is counted when tabulating the total votes cast and determining whether the required percentage of qualified voters participated in the Secretarial election.			

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54	§ 81.5	What terms do I need to know?	Official ballot means the ballot prepared for use in a Secretarial election by the Secretarial Election Board and signed by the Secretarial Election Board Chairperson. An official ballot may be found to be damaged, spoiled or mutilated at the time cast votes are counted.			
55	§ 81.5	What terms do I need to know?	Proposed constitution or proposed constitution and bylaws means an Indian tribe's proposed governing document, which is submitted to the Secretary when the Indian tribe is reorganizing or organizing for the first time under a Federal Statute.			
56	§ 81.5	What terms do I need to know?	Qualified voter means a member of an Indian tribe who is duly registered to vote in a Secretarial election.	definition for "registered" voter unclear as well as the relationship of qualified and eligible to "registered"	SAC	84
57	§ 81.5	What terms do I need to know?	Recognized governing body means the Indian tribe's governing body recognized by the Bureau for the purposes of government-to-government relations.			
58	§ 81.5	What terms do I need to know?	Regional Director means the Bureau official having administrative responsibility for the Bureau's relationship with the Indian tribes in its designated region.			
59	§ 81.5	What terms do I need to know?	Registered voter means an eligible voter who has registered to vote in the Secretarial election and whose name appears in the Registered Voters List.			
60	§ 81.5	What terms do I need to know?	Registered Voters List means the list of all eligible tribal members who have registered to vote in the Secretarial election.	List of registered voters = All registered voters or voters eligible for this process?	OKC	33

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61	§ 81.5	What terms do I need to know?	Registration means the process by which an eligible voter is determined qualified to vote in the Secretarial election, including completion and timely receipt of a registration form by the Secretarial Election Board and inclusion in the Registered Voters List.			
62	§ 81.5	What terms do I need to know?	Reorganized tribe means a tribe whose members have adopted a constitution pursuant to a Federal statute.	Is the definition for "reorganized" clear?	SAC	117
62	§ 81.5	What terms do I need to know?	Reorganized tribe means a tribe whose members have adopted a constitution pursuant to a Federal statute.	no definition for "organized"	SAC	66
62	§ 81.5	What terms do I need to know?	Reorganized tribe means a tribe whose members have adopted a constitution pursuant to a Federal statute.	the term "reorganized" could be reviewed and clarified	SAC	59
63	§ 81.5	What terms do I need to know?	Reservation means an area of land reserved by treaty; set aside by statute, Executive Order or Secretarial proclamation; or otherwise set aside for the benefit, use and occupancy of an Indian tribe.	Clarify definition for "reservation" & "rancheria"	Pala	45
63	§ 81.5	What terms do I need to know?	Reservation means an area of land reserved by treaty; set aside by statute, Executive Order or Secretarial proclamation; or otherwise set aside for the benefit, use and occupancy of an Indian tribe.	Need more inclusive replacement for "reservations"	OKC	127
63	§ 81.5	What terms do I need to know?	Reservation means an area of land reserved by treaty; set aside by statute, Executive Order or Secretarial proclamation; or otherwise set aside for the benefit, use and occupancy of an Indian tribe.	speaks to "residents," though still need to determine "residency." Should be defined in draft of regulation.	OKC	43

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64	§ 81.5	What terms do I need to know?	Revocation means the decision of the majority of qualified voters to repeal in its entirety (as opposed to amending or revising) an existing constitution by means of a Secretarial election.			
65	§ 81.5	What terms do I need to know?	Secretarial election (as compared to a tribal election that is conducted by the tribe under exclusive tribal authority) means an election conducted under this Part and pursuant to a Federal statute or tribal constitution (see <i>Cheyenne River Sioux Tribe v. Andrus</i> , 566 F. 2d 1085 (8th Cir. 1977), cert. denied 439 U.S. 820 (1978).			
66	§ 81.5	What terms do I need to know?	Secretarial Election Board means the body of officials appointed to administer the Secretarial election.			
67	§ 81.5	What terms do I need to know?	Secretary means the Secretary of the Interior or authorized representative exercising authority delegated by the Secretary.			
68	§ 81.5	What terms do I need to know?	Spoiled ballot means an official ballot that has been marked in such a way that it is not possible to determine the intent of the voter, a ballot that has not been marked at all, or one that has been marked so as to violate the secrecy of the ballot. There are two kinds of spoiled official ballots:	Why allow spoiled ballots but not damaged or mutilated?	Minn	74
68	§ 81.5	What terms do I need to know?	Spoiled ballot means an official ballot that has been marked in such a way that it is not possible to determine the intent of the voter, a ballot that has not been marked at all, or one that has been marked so as to violate the secrecy of the ballot. There are two kinds of spoiled official ballots:	confusion concerning mutilated, spoiled, damaged ballots	Minn	74

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
69	§ 81.5(1)	What terms do I need to know?	A ballot that is spoiled but not cast. In this case, the spoiled ballot may be exchanged for a new ballot. If the need arises to exchange a spoiled absentee ballot, no additional time will be provided for the new ballot to be received by the Secretarial Election Board.	Include "spoiled"	OKC	107
70	§ 81.5(2)	What terms do I need to know?	A ballot that is spoiled and cast. A spoiled cast ballot is counted when tabulating the total votes cast and determining whether the required percentage of qualified voters participated in the Secretarial election.			
71	§ 81.5	What terms do I need to know?	Spokesperson for the petitioners means an eligible voter of the Indian tribe who initiates a petition or who is designated by tribal members who are eligible voters to speak on their behalf.			
72	§ 81.5	What terms do I need to know?	Tribal government see recognized governing body.			
73	§ 81.5	What terms do I need to know?	Voting district means the geographic area(s) established in the Indian tribe's constitution or governing documents or designated by the Secretarial Election Board when the tribe's constitution does not establish voting districts.			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
74	§ 81.6	Information Collection.	The information collection requirement contained in this part will be approved by the Office of Management and Budget under the Paperwork Reduction Act of 1995, 44 U.S.C. 3507(d), and assigned clearance number _____. This information is collected when, pursuant to Federal statute or the Indian tribe's governing documents, the Indian tribe or a spokesperson for the petitioners requests a Secretarial election to reorganize or organize; adopt, amend, or revoke governing documents; or adopt or amend charters of incorporation.	Will outdated/expired forms be brought up to date?	OKC	65
75	§ 81.7	Is technical assistance available?	Yes. Local Bureau personnel provide technical assistance to tribal governments in the drafting of constitutions, bylaws, charters of incorporation, amendments and revocations, as well as the Secretarial election process.	technical assistance not offered in Part 81 but in Part 82	Pala	73
76	§ 81.8	Do charters of incorporation issued under Federal statute require Secretarial approval?	Yes. Secretarial approval is required when a charter of incorporation is issued under Federal statute.			
77	§ 81.9	Who authorizes a Secretarial election to ratify, amend, or surrender a charter of incorporation issued under Federal statute?	Within 45 days of receipt of the final request and eligible voters list, the Authorizing Official must --	Need to spend more time distinguishing between charters and constitutions. Add more about charters, also discuss situations like Comanche.	Minn	85
77	§ 81.9	Who authorizes a Secretarial election to ratify, amend, or surrender a charter of incorporation issued under Federal statute?	Within 45 days of receipt of the final request and eligible voters list, the Authorizing Official must --	Definitions issues: "spoiled and mutilated and damaged" and also "final request" as opposed to "technical assistance"	Minn	89
78	§ 81.9(a)	Who authorizes a Secretarial election to ratify, amend, or	(a) Issue the charter of incorporation; and			
79	§ 81.9(b)	Who authorizes a Secretarial election to ratify, amend, or surrender a charter of incorporation issued under Federal statute?	(b) Authorize and direct the Local Bureau Official to call a Secretarial election to ratify the charter of incorporation or amendment; or,			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
80	§ 81.9(c)	Who authorizes a Secretarial election to ratify, amend, or surrender a charter of incorporation issued under Federal statute?	(c) Advise or assist the Indian tribe requesting revocation of a charter of incorporation issued under Federal statute.			
81	§ 81.10	When does a charter of incorporation issued under a	The charter of incorporation becomes operative after:			
82	§ 81.10(a)	When does a charter of incorporation issued under a Federal statute become operative?	(a) It is ratified by the tribe's governing body for those charters of incorporation issued after May 24, 1990, or			
83	§ 81.10(b)	When does a charter of incorporation issued under a Federal statute become operative?	(b) When a tribe amends a charter of incorporation ratified before May 24, 1990, or a charter of incorporation issued under the OIWA, the amended charter becomes operative when ratified by the qualified voters in an election called and conducted by the Secretary in accordance with the terms of the charter and these regulations.	Applicability of 477? Election results?	Minn	86
83	§ 81.10(b)	When does a charter of incorporation issued under a Federal statute become operative?	(b) When a tribe amends a charter of incorporation ratified before May 24, 1990, or a charter of incorporation issued under the OIWA, the amended charter becomes operative when ratified by the qualified voters in an election called and conducted by the Secretary in accordance with the terms of the charter and these regulations.	[If voting on a charter that was there prior to 1990 in a Secretarial Election where "only resident members are eligible to vote"], if you define "resident member," are you defining it as people who live within the tribal jurisdiction?	OKC	29
84	§ 81.11	Who has the authority to revoke a charter of incorporation issued under Federal statute?	Only the United States Congress may revoke a charter of incorporation issued under Federal statute to an Indian tribe.			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
85	§ 81.12	Who may request a Secretarial election?	As required in this Part and 25 CFR Part 82, the recognized governing body of an Indian tribe or the spokesperson for the petitioners may request a Secretarial election, unless the tribe has affirmatively voted to exclude itself from the IRA.			
86	§ 81.13	How is a Secretarial election requested?	The recognized governing body of an Indian tribe or the spokesperson for the petitioners must submit an appropriate request to the local Bureau office. An appropriate request includes:			
87	§ 81.13(a)	How is a Secretarial election requested?	(a) The proposed document or proposed amendment; and			
88	§ 81.13(b)	How is a Secretarial election requested?	(b) Resolution of the recognized governing body or valid petition requesting a Secretarial election.			
89	§ 81.14	When is a petition requesting a Secretarial election valid?	A petition is valid when it meets the requirements of this Part and the Indian tribe's existing constitution, charter of incorporation, or 25 CFR Part 82--Subpart B.			
90	§ 81.15(a)	What action does the Local Bureau Official take?	(a) The Local Bureau Official reviews the appropriate request and all accompanying documents and responds to the recognized governing body of the Indian tribe or spokesperson for the petitioners with recommendations for technical and legal changes.			
91	§ 81.15(b)	What action does the Local Bureau Official take?	(b) Within 15 days (30 days in Alaska) of receipt of the final request of the recognized governing body of the Indian tribe or spokesperson for the petitioners, the Local Bureau Official must --	Clarify when clock starts running for final requests, when first request received or final request received?	Minn	95

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91	§ 81.15(b)	What action does the Local Bureau Official take?	(b) Within 15 days (30 days in Alaska) of receipt of the final request of the recognized governing body of the Indian tribe or spokesperson for the petitioners, the Local Bureau Official must --	15 days in which to review at agency level unrealistic	SAC	66
92	§ 81.15(b)(1)	What action does the Local Bureau Official take?	(1) Inform the recognized governing body of the Indian tribe or spokesperson for the petitioners of any provisions(s) that may be contrary to Federal law;			
93	§ 81.15(b)(2)	What action does the Local Bureau Official take?	(2) Confirm the final request meets the requirements of this Part, the Indian tribe's existing constitution and bylaws or charter of incorporation; and	distinction unclear between new, amended and final request	SAC	37
94	§ 81.15(b)(3)	What action does the Local Bureau Official take?	(3) Transmit the final request to the Authorizing Official.			
95	§ 81.15(c)	What action does the Local Bureau Official take?	(c) When directed by the Authorizing Official to call a Secretarial election, the Local Bureau Official must, at least 30 days before calling the Secretarial election, advise the recognized governing body of the Indian tribe or spokesperson for the petitioners of any provision(s) that may be contrary to Federal law.			
96	§ 81.16(a)	When must the Authorizing Official act upon a request or petition for a Secretarial Election?	(a) The Authorizing Official must authorize and direct the Local Bureau Official to call and hold a Secretarial election to adopt a constitution and bylaws, to revoke a constitution and bylaws, or ratify a charter of incorporation or amendment upon the request of the governing body of the Indian tribe or petition signed by a majority of the Indian tribe's adult members or as prescribed by the tribe's constitution.	Is it any difference, to the federal government or Secretary who authors a resolution, as long as a tribal council has voted in majority to pass it?	ALBQ	92

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
96	§ 81.16(a)	When must the Authorizing Official act upon a request or petition for a Secretarial Election?	(a) The Authorizing Official must authorize and direct the Local Bureau Official to call and hold a Secretarial election to adopt a constitution and bylaws, to revoke a constitution and bylaws, or ratify a charter of incorporation or amendment upon the request of the governing body of the Indian tribe or petition signed by a majority of the Indian tribe's adult members or as prescribed by the tribe's constitution.	confusing	SAC	69
97	§ 81.16(b)	When must the Authorizing Official act upon a request or petition for a Secretarial Election?	(b) The Authorizing Official must authorize and direct the Local Bureau Official to call and hold a Secretarial election and provide written notice of the authorization to the recognized governing body of the Indian tribe and spokesperson for the petitioner within 90 days (120 days in Alaska) of receipt of:	Maybe need to explain more, perhaps in preamble, process regarding delays.	ALBQ	43
97	§ 81.16(b)	When must the Authorizing Official act upon a request or petition for a Secretarial Election?	(b) The Authorizing Official must authorize and direct the Local Bureau Official to call and hold a Secretarial election and provide written notice of the authorization to the recognized governing body of the Indian tribe and spokesperson for the petitioner within 90 days (120 days in Alaska) of receipt of:	Re: 120 day deadline. What happens if [the tribe] put in a request and there is no response from you guys?	AK	53
97	§ 81.16(b)	When must the Authorizing Official act upon a request or petition for a Secretarial Election?	(b) The Authorizing Official must authorize and direct the Local Bureau Official to call and hold a Secretarial election and provide written notice of the authorization to the recognized governing body of the Indian tribe and spokesperson for the petitioner within 90 days (120 days in Alaska) of receipt of:	If authorization is not acted on within 90 days through fault of DOI, then the 90 days can be extended? How many extension can you get?	ALBQ	42

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
97	§ 81.16(b)	When must the Authorizing Official act upon a request or petition for a Secretarial Election?	(b) The Authorizing Official must authorize and direct the Local Bureau Official to call and hold a Secretarial election and provide written notice of the authorization to the recognized governing body of the Indian tribe and spokesperson for the petitioner within 90 days (120 days in Alaska) of receipt of:	Whether it's the BIA or Tribe's fault, if the 90 days expires w/out extension, Tribe has to start all over?	ALBQ	44
97	§ 81.16(b)	When must the Authorizing Official act upon a request or petition for a Secretarial Election?	(b) The Authorizing Official must authorize and direct the Local Bureau Official to call and hold a Secretarial election and provide written notice of the authorization to the recognized governing body of the Indian tribe and spokesperson for the petitioner within 90 days (120 days in Alaska) of receipt of:	Also issue of who's petition starts clock ticking.	Minn	95
98	§ 81.16(b)(1)	When must the Authorizing Official act upon a request or petition for a Secretarial Election?	(1) The final request of the spokesperson for the petitioner, which accepts or rejects the Local Bureau Official's recommendations and includes all accompanying documents;	What's the purpose of the technical comments/legal review from BIA if the tribe has the latitude to reject them?	ALBQ	30
99	§ 81.16(b)(2)	When must the Authorizing Official act upon a request or petition for a Secretarial Election?	(2) The request of the recognized governing body of the Indian tribe for an election to ratify an amendment to its constitution, bylaws or charter of incorporation pursuant to the amendment article, unless the tribe's constitution states otherwise; or,			
100	§ 81.16(b)(3)	When must the Authorizing Official act upon a request or petition for a Secretarial Election?	(3) The request of the recognized governing body of the Indian tribe to bypass the amendment provision of its constitution, bylaws, or charter of incorporation because it is too outdated to allow amendment.			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
101	§ 81.16(b)	When must the Authorizing Official act upon a request or petition for a Secretarial Election?	(b) The Authorizing Official must authorize and direct the Local Bureau Official to call and hold a Secretarial election and provide written notice of the authorization to the recognized governing body of the Indian tribe or spokesperson for the petitioner within 180 days of receipt of:			
102	§ 81.16(b)(1)	When must the Authorizing Official act upon a request or petition for a Secretarial Election?	(1) The request of the recognized governing body of the Indian tribe for an election to ratify a proposed constitution or revoke a constitution or bylaws; or,			
103	§ 81.16(b)(2)	When must the Authorizing Official act upon a request or petition for a Secretarial Election?	(2) The receipt of a petition to ratify a proposed constitution and bylaws or revoke a constitution and bylaws that is validated by the Local Bureau Official, as required by 25 CFR Part 82.15.			
104	§ 81.16(c)	When must the Authorizing Official act upon a request or petition for a Secretarial Election?	(c) Any authorization not acted upon within 90 days is considered void. An extension of the authorization may be granted by the Authorizing Official upon a valid and reasonable request from the Secretarial Election Board.	unclear	SAC	72
104	§ 81.16(c)	When must the Authorizing Official act upon a request or petition for a Secretarial Election?	(c) Any authorization not acted upon within 90 days is considered void. An extension of the authorization may be granted by the Authorizing Official upon a valid and reasonable request from the Secretarial Election Board.	punishes the tribe	SAC	69
105	§ 81.20	Who conducts the Secretarial election?	The Secretarial election is conducted by a Secretarial Election Board, comprised of the Local Bureau Official or designated representative, acting as Chairperson, and at least two representatives appointed by the recognized governing body of the Indian tribe.	On the two individuals appointed for Election Board, are there any prerequisites or restrictions on who is appointed?	ALBQ	46

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
105	§ 81.20	Who conducts the Secretarial election?	The Secretarial election is conducted by a Secretarial Election Board, comprised of the Local Bureau Official or designated representative, acting as Chairperson, and at least two representatives appointed by the recognized governing body of the Indian tribe.	Who makes up the Election Board?	OKC	63
105	§ 81.20	Who conducts the Secretarial election?	The Secretarial election is conducted by a Secretarial Election Board, comprised of the Local Bureau Official or designated representative, acting as Chairperson, and at least two representatives appointed by the recognized governing body of the Indian tribe.	When do you need to follow constitution/tirbal law in process?	ALBQ	50
105	§ 81.20	Who conducts the Secretarial election?	The Secretarial election is conducted by a Secretarial Election Board, comprised of the Local Bureau Official or designated representative, acting as Chairperson, and at least two representatives appointed by the recognized governing body of the Indian tribe.	Concerns regarding training/lack of training.	ALBQ	52
105	§ 81.20	Who conducts the Secretarial election?	The Secretarial election is conducted by a Secretarial Election Board, comprised of the Local Bureau Official or designated representative, acting as Chairperson, and at least two representatives appointed by the recognized governing body of the Indian tribe.	Clarification regarding who makes determinations on who serves on the Election Board (governed by constitution?)	ALBQ	49

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
105	§ 81.20	Who conducts the Secretarial election?	The Secretarial election is conducted by a Secretarial Election Board, comprised of the Local Bureau Official or designated representative, acting as Chairperson, and at least two representatives appointed by the recognized governing body of the Indian tribe.	Questions regarding composition of Election Board (who are federal employees/who are tribe, limits to appointment of representatives, who calls the shots)	ALBQ	47
105	§ 81.20	Who conducts the Secretarial election?	The Secretarial election is conducted by a Secretarial Election Board, comprised of the Local Bureau Official or designated representative, acting as Chairperson, and at least two representatives appointed by the recognized governing body of the Indian tribe.	With regarding prerequisites for Election Board appointment, is it the tribal council or the governor who determines prerequisites? Need to make it clear.	ALBQ	46
106	§ 81.20(a)	Who conducts the Secretarial election?	(a) The recognized governing body of the Indian tribe may use tribal funds to compensate non-Federal personnel who assist in conducting the Secretarial election.	Recommend part of cost of election should be borne by tribe.	OKC	35
107	§ 81.20(b)	Who conducts the Secretarial election?	(b) The Indian tribe may not compensate Federal personnel who conduct the Secretarial election.			
108	§ 81.21	Is the recognized governing body of the Indian tribe required to appoint individuals to serve on the Secretarial Election Board?	No. The Chairperson of the Secretarial Election Board may appoint eligible voters to serve as members of the Secretarial Election Board, if--			
109	§ 81.21(a)	Is the recognized governing body of the Indian tribe required to appoint individuals to serve on the Secretarial Election Board?	(a) The recognized governing body of the Indian tribe does not appoint at least two board members within 10 days after receiving notice the Secretarial election has been authorized.			
110	§ 81.21(b)	Is the recognized governing body of the Indian tribe required to appoint individuals to serve on the Secretarial Election Board?	(b) The members selected by the recognized governing body of the Indian tribe are unwilling or unable to serve and replacements are not named.			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
111	§ 81.21(c)	Is the recognized governing body of the Indian tribe required to appoint	(c) The Indian tribe does not have a recognized governing body.			
112	§ 81.22	What are the responsibilities of the Secretarial Election Board?	Upon notice the Secretarial election is authorized, the Secretarial Election Board must--	Questions regarding training of Election Boards (duration)	ALBQ	55
112	§ 81.22	What are the responsibilities of the Secretarial Election Board?	Upon notice the Secretarial election is authorized, the Secretarial Election Board must--	How do you conduct an election that's going to be fair and equitable? What exactly will the Election Board members' responsibilities be? (Needs to be clarified and specified)	ALBQ	52
113	§ 81.22(a)	What are the responsibilities of the Secretarial Election Board?	(a) Set the date for the Secretarial election in consultation with the recognized governing body.			
114	§ 81.22(b)	What are the responsibilities of the Secretarial Election Board?	(b) Prepare the Secretarial Election Notice and Registration Packet at least 30 days and not more than 60 days before the date of the Secretarial election. The packet must notify eligible voters, who will be 18 years of age or older on the date of the Secretarial election, they must register if they intend to vote.	not all tribes have elections therefore need a section to address requirements for registration	Minn	59
115	§ 81.22(c)	What are the responsibilities of the Secretarial Election Board?	(c) Establish voting districts and designate a polling place for each district where necessary if not established by the tribe's constitution, election ordinance, or resolution of the recognized governing body.	Alluding to something such as polling places that can be described in a handbook	SAC	40
116	§ 81.22(d)	What are the responsibilities of the Secretarial Election Board?	(d) Appoint a District Secretarial Election Board for each voting district.			
117	§ 81.22(e)	What are the responsibilities of the Secretarial Election Board?	(e) Obtain a list of eligible voters, certified by the Indian tribe's recognized governing body.	When you say the potential list, do you verify those people that are on that list that the tribe has? Say there is no list so they are going to compile a new membership list, how do you verify that they are eligible to be on that list or do you take the	AK	59

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
117	§ 81.22(e)	What are the responsibilities of the Secretarial Election Board?	(e) Obtain a list of eligible voters, certified by the Indian tribe's recognized governing body.	Not sure how to register all tribal members if no starting point of a village membership list.	AK	57
117	§ 81.22(e)	What are the responsibilities of the Secretarial Election Board?	(e) Obtain a list of eligible voters, certified by the Indian tribe's recognized governing body.	What about the tribes who don't have an active enrollment? Use old census?	AK	56
117	§ 81.22(e)	What are the responsibilities of the Secretarial Election Board?	(e) Obtain a list of eligible voters, certified by the Indian tribe's recognized governing body.	What is the criteria for denying an applicant from becoming a registered voter	SAC	78
117	§ 81.22(e)	What are the responsibilities of the Secretarial Election Board?	(e) Obtain a list of eligible voters, certified by the Indian tribe's recognized governing body.	incarcerated & those serving in military-how are they notified and how do they get registered to vote-can they vote? Should the regs address this in preamble or somewhere?	SAC	75
117	§ 81.22(e)	What are the responsibilities of the Secretarial Election Board?	(e) Obtain a list of eligible voters, certified by the Indian tribe's recognized governing body.	how to determine eligibiliy to vote	SAC	74
117	§ 81.22(e)	What are the responsibilities of the Secretarial Election Board?	(e) Obtain a list of eligible voters, certified by the Indian tribe's recognized governing body.	Tribes need to make sure list of voters have updated addresses, otherwise cannot register.	OKC	36
118	§ 81.22(f)	What are the responsibilities of the Secretarial Election Board?	(f) Send a Secretarial Election Notice and Registration Packet, with the proposed document or a summary of the proposed document, to each eligible voter's address as it appears on the Eligible Voters List.	Letters mailed out = Registration process or only for information distribution?	OKC	36
119	§ 81.22(g)	What are the responsibilities of the Secretarial Election Board?	(g) Post the Secretarial Election Notice, the full text of any proposed document, constitution and bylaws, constitutional amendment(s), charter of incorporation, or charter amendment(s) at the local Bureau office, the tribal headquarters, and other public places determined by the Secretarial Election Board.			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
120	§ 81.22(h)	What are the responsibilities of the Secretarial Election Board?	(h) Receive voter registration forms.	Need for education because of confusion between special elections, tribal/regular elections, and secretarial elections and national/state elections. Monumental task of registering for secretarial elections on top of other elections.	ALBQ	62
121	§ 81.22(i)	What are the responsibilities of the Secretarial Election Board?	(i) Post the Registered Voters List at least 20 days before the date of the Secretarial election.	Privacy concerns regarding publication of voter registration lists.	AK	71
122	§ 81.22(j)	What are the responsibilities of the Secretarial Election Board?	(j) Determine all challenges to the Registered Voters List no later than 10 days before the date of the Secretarial election.	Issue: Challenges to elections outside of set time frame.	ALBQ	64
122	§ 81.22(j)	What are the responsibilities of the Secretarial Election Board?	(j) Determine all challenges to the Registered Voters List no later than 10 days before the date of the Secretarial election.	Issue: Taking deceased members off registry lists	ALBQ	59
123	§ 81.22(k)	What are the responsibilities of the Secretarial Election Board?	(k) If necessary, post the corrected Registered Voters List.			
124	§ 81.22(l)	What are the responsibilities of the Secretarial Election Board?	(l) Verify that the name of each person requesting an absentee ballot is on the Registered Voters List.			
125	§ 81.22(m)	What are the responsibilities of the Secretarial Election Board?	(m) Mail absentee ballots to registered absentee voters and place a check mark next to the appropriate name to indicate the ballot was mailed.	For absentee ballots: Who's responsible to make sure errors don't occur with sending out the registration/absentee packets?	ALBQ	90
126	§ 81.22(o)	What are the responsibilities of the Secretarial Election Board?	(o) On the day of the Secretarial election--			
127	§ 81.22(o)(1)	What are the responsibilities of the S	(1) Monitor the election process.			
128	§ 81.22(o)(2)	What are the responsibilities of the Secretarial Election Board?	(2) Verify the name of each person requesting a ballot is on the Registered Voters List and place a check mark next to the appropriate name to indicate the ballot was received.			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
129	§ 81.22(o)(3)	What are the responsibilities of the Secretarial Election Board?	(3) Keep ballots in marked and locked boxes at all times, except when ballots are counted.			
130	§ 81.22(o)(4)	What are the responsibilities of the Secretarial Election Board?	(4) Count all regularly cast ballots immediately after the polls close, and then count absentee ballots.			
131	§ 81.22(o)(5)	What are the responsibilities of the Secretarial Election Board?	(5) Post and certify the results of the Secretarial election.			
132	§ 81.22(o)(6)	What are the responsibilities of the Secretarial Election Board?	(6) Deliver the cast ballots, in marked and locked boxes, all unused ballots, the Registered Voters List, and all voting materials to the Secretarial Election Board Chairperson.			
133	§ 81.22(p)	What are the responsibilities of the Secretarial Election Board?	(p) Compile the Secretarial Election results of the entire reservation.			
134	§ 81.23	What are the responsibilities of the Secretarial Election Board Chairperson?	In addition to the responsibilities listed in § 81.22, the Secretarial Election Board Chairperson must--			
135	§ 81.23(a)	What are the responsibilities of the Secretarial Election Board	(a) Appoint interpreters, when requested.			
136	§ 81.23(b)	What are the responsibilities of the Secretarial Election Board	(b) Appoint polling place workers, as needed.			
137	§ 81.23(c)	What are the responsibilities of the Secretarial Election Board Chairperson?	(c) Retain as official records for at least one year following the conclusion of the Secretarial election--			
138	§ 81.23(c)(1)	What are the responsibilities of the Secretarial Election Board Chairperson?	(1) The names and addresses of persons to whom Secretarial Election notices were mailed and confirmation of the date of mailing;			
139	§ 81.23(c)(2)	What are the responsibilities of the Secretarial Election Board Chairperson?	(2) A copy of each registration request and confirmation of the method and date of receipt;			
140	§ 81.23(c)(3)	What are the responsibilities of the Secretarial Election Board Chairperson?	(3) The official List of Registered Voters and the copies used at all polling places; and			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
141	§ 81.23(c)(4)	What are the responsibilities of the Secretarial Election Board Chairperson?	(4) The original of all cast, damaged, mutilated, spoiled, and unused ballots.			
142	§ 81.23(d)	What are the responsibilities of the Secretarial Election Board Chairperson?	(d) At the close of the retention period and in accordance with the Federal Records Schedule, submit all materials related to the Secretarial Election to the Federal Records Center.			
143	§ 81.24	What are the responsibilities of District Secretarial Election Boards?	District Secretarial Election Boards must---			
144	§ 81.24(a)	What are the responsibilities of District Secretarial Election Boards?	(a) Perform all the responsibilities in § 81.22 (o); and			
145	§ 81.24(b)	What are the responsibilities of District Secretarial Election Boards?	(b) Certify the District Secretarial Election results on forms provided by the Secretarial Election Board.			
146	§ 81.25	What information is included in the Secretarial Election Notice and	The Secretarial Election Notice and Registration Packet must contain--			
147	§ 81.25(a)	What information is included in the S	(a) Secretarial Election Notice;			
148	§ 81.25(b)	What information is included in the S	(b) Registration form;			
149	§ 81.25(c)	What information is included in the Secretarial Election Notice and Registration Packet?	(c) Request for an absentee ballot, unless the Secretarial election is conducted totally by absentee voting, in which case, every registered voter will automatically receive an absentee ballot; and			
150	§ 81.25(d)	What information is included in the Secretarial Election Notice and Registration Packet?	(d) A copy of the original language and proposed document to be voted upon.			
151	§ 81.26	What information is on the Secretarial Election Notice?	The Secretarial Election Notice must clearly state--			
152	§ 81.26(a)	What information is on the Secretarial Election Notice?	(a) The date of the Secretarial election;			
153	§ 81.26(b)	What information is on the Secretarial Election Notice?	(b) The purpose of the Secretarial election;			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
154	§ 81.26(c)	What information is on the Secretarial Election Notice?	(c) The statutory and tribal authority under which the Secretarial election is held;			
155	§ 81.26(d)	What information is on the Secretarial Election Notice?	(d) Whether the Secretarial election was requested by tribal resolution or petition;			
156	§ 81.26(e)	What information is on the Secretarial Election Notice?	(e) That tribal members must register to be eligible to vote in the Secretarial election;			
157	§ 81.26(f)	What information is on the Secretarial Election Notice?	(f) How tribal members register to vote;			
158	§ 81.26(g)	What information is on the Secretarial Election Notice?	(g) How tribal members request an absentee ballot;			
159	§ 81.26(h)	What information is on the Secretari	(h) The deadline for registration;			
160	§ 81.26(i)	What information is on the Secretarial Election Notice?	(i) The hours polling places will be open;			
161	§ 81.26(j)	What information is on the Secretarial Election Notice?	(j) The location of established polling places; and			
162	§ 81.26(k)	What information is on the Secretarial Election Notice?	(k) When and where the Secretarial election results will be posted.			
163	§ 81.27	What must the Secretarial election registration form contain?	The registration form must--	Can the registration form be duplicated and sent in?	OKC	82
163	§ 81.27	What must the Secretarial election registration form contain?	The registration form must--	Restrict photocopied materials? Leave to Secretarial Election Board? Address in Handbook?	OKC	84
164	§ 81.27(a)	What must the Secretarial election registration form contain?	(a) Advise eligible voters they must register in order to vote in the Secretarial election;			
165	§ 81.27(b)	What must the Secretarial election registration form contain?	(b) Obtain the name and current address of eligible voters;			
166	§ 81.27(c)	What must the Secretarial election registration form contain?	(c) Confirm registered voters are tribal members who will be 18 years of age or older on the day of the Secretarial election;			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
167	§ 81.27(d)	What must the Secretarial election registration form contain?	(d) Inform eligible voters that completion of the form is voluntary but their signatures are required in order to vote in the Secretarial election;	information collected for registration should be mandatory	SAC	54
167	§ 81.27(d)	What must the Secretarial election registration form contain?	(d) Inform eligible voters that completion of the form is voluntary but their signatures are required in order to vote in the Secretarial election;	describe in the handbook how signatures are verified	SAC	45
167	§ 81.27(d)	What must the Secretarial election registration form contain?	(d) Inform eligible voters that completion of the form is voluntary but their signatures are required in order to vote in the Secretarial election;	need a section in the handbook on how to authenticate signatures	SAC	113
167	§ 81.27(d)	What must the Secretarial election registration form contain?	(d) Inform eligible voters that completion of the form is voluntary but their signatures are required in order to vote in the Secretarial election;	Clarify "voluntary". Need to get to O&B and get approval to collect information?	OKC	67
167	§ 81.27(d)	What must the Secretarial election registration form contain?	(d) Inform eligible voters that completion of the form is voluntary but their signatures are required in order to vote in the Secretarial election;	81.27 includes several items needed from eligible voter then layer wer say it's completely voluntary - which it is	SAC	53
168	§ 81.27(e)	What must the Secretarial election registration form contain?	(e) Identify the location of established voting districts or optional polling places;			
169	§ 81.27(f)	What must the Secretarial election registration form contain?	(f) Instruct eligible voters to request for an absentee ballot, unless the Secretarial election is conducted totally by absentee voting;	the indication that someone requested an absentee ballot-	SAC	75
170	§ 81.27(g)	What must the Secretarial election registration form contain?	(g) State the date by which registration forms must be received; and			

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171	§ 81.27(h)	What must the Secretarial election registration form contain?	(h) Inform eligible voters the information provided to the Secretarial Election Board will be used to determine whether the registrant's name may be placed on the Registered Voters List in order to receive a ballot.			
172	§ 81.28(a)	How are registration forms submitted to the Secretarial Election Board?	(a) Registration forms may be mailed or delivered by hand to the Secretarial Election Board, or its designee, and must be received on or before the deadline date contained in the Secretarial Election Notice.	Maybe incorporate digital signatures as a viable way to do email verification.	ALBQ	83
172	§ 81.28(a)	How are registration forms submitted to the Secretarial Election Board?	(a) Registration forms may be mailed or delivered by hand to the Secretarial Election Board, or its designee, and must be received on or before the deadline date contained in the Secretarial Election Notice.	Need language that addresses acceptable forms of registration (via email, electronic form, etc).	ALBQ	82
172	§ 81.28(a)	How are registration forms submitted to the Secretarial Election Board?	(a) Registration forms may be mailed or delivered by hand to the Secretarial Election Board, or its designee, and must be received on or before the deadline date contained in the Secretarial Election Notice.	"mailed or hand-delivered" = one envelope or separate envelopes?	OKC	71
172	§ 81.28(a)	How are registration forms submitted to the Secretarial Election Board?	(a) Registration forms may be mailed or delivered by hand to the Secretarial Election Board, or its designee, and must be received on or before the deadline date contained in the Secretarial Election Notice.	Would like witness.	OKC	76
173	§ 81.28(b)	How are registration forms submitted to the Secretarial Election Board?	(b) Registration forms received by facsimile will not be accepted by the Secretarial Election Board, unless otherwise noted in the Secretarial Election Notice.			
174	§ 81.29(a)	What are the responsibilities of Secretarial Election Board with	(a) The Secretarial Election Board must--			

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175	§ 81.29(a)(1)	What are the responsibilities of Secretarial Election Board with	(1) Record the name and address of each registrant;			
176	§ 81.29(a)(2)	What are the responsibilities of Secretarial Election Board with	(2) Verify each registrant is an eligible voter; and			
177	§ 81.29(a)(3)	What are the responsibilities of Secretarial Election Board with regard to voter registration?	(3) Confirm the registration form was received on or before the deadline date contained in the Secretarial election notice.			
178	§ 81.29(b)	What are the responsibilities of Secretarial Election Board with regard to voter registration?	(b) If the registrant is an eligible voter and the registration form was received on or before the deadline date, the Secretarial Election Board must place the name of the eligible voter on the Registered Voters List.			
179	§ 81.29(c)	What are the responsibilities of Secretarial Election Board with regard to voter registration?	(c) If the registrant is not an eligible voter or the registration form was received after the deadline date, the Secretarial Election Board must exclude the individual from the Registered Voters List.			
180	§ 81.30	What is the purpose of the Registered Voters List?	The Registered Voters List is the list of eligible voters who have registered and may cast a ballot in the Secretarial election. Individuals whose names do not appear on the Registered Voters List will not be permitted to cast a ballot.	If I'm a member of a federally-recognized tribe and you're denying me the right to vote in a Secretarial election, you're denying my right as a member of a federally-recognized tribe?	ALBQ	73
181	§ 81.31	What information is contained in the	The Registered Voters List must--			
182	§ 81.31(a)	What information is contained in the Registered Voters List?	(a) Contain the names, in alphabetical order, of all registered voters;			
183	§ 81.31(b)	What information is contained in the Registered Voters List?	(b) If voting districts are designated, contain the names, in alphabetical order, of registered voters by voting district;			
184	§ 81.31(c)	What information is contained in the Registered Voters List?	(c) Identify which registered voters requested an absentee ballot; and			

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185	§ 81.31(d)	What information is contained in the Registered Voters List?	(d) State the Secretarial Election Board will determine all challenges to the registered voters list no later than 10 days before the date of the Secretarial election			
186	§ 81.31(e)	What information is contained in the Registered Voters List?	(e) State written challenges to the accuracy of the Registered Voters List must be received by the Secretarial Election Board at least 10 days before the day of the Secretarial election.			
187	§ 81.32	Where does the Secretarial Election Board post the Registered Voters List and voting sites?	The Secretarial Election Board must post a copy of the Registered Voters List and voting sites at the local Bureau office, the tribal headquarters, and other public places designated by the Secretarial Election Board.			
188	§ 81.33	When must the Secretarial Election Board post the Registered Voters List?	The Secretarial Election Board must post a copy of the Registered Voters List at least 20 days before the Secretarial election. The date the list is posted and the date of the Secretarial election are not included in the computation of 20 days notice.			
189	§ 81.34	How are errors in the Registered Voters List corrected?	Any eligible voter may challenge the accuracy of the Registered Voters List. Only written challenges received by the Secretarial Election Board at least 10 days before the day of the Secretarial election will be considered. The challenge must--	would only those persons found to be eligible to vote be able to challenge	SAC	81
189	§ 81.34	How are errors in the Registered Voters List corrected?	Any eligible voter may challenge the accuracy of the Registered Voters List. Only written challenges received by the Secretarial Election Board at least 10 days before the day of the Secretarial election will be considered. The challenge must--	Clarifying ability to challenge names on Voter Registration List, and challenge period.	OKC	88

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189	§ 81.34	How are errors in the Registered Voters List corrected?	Any eligible voter may challenge the accuracy of the Registered Voters List. Only written challenges received by the Secretarial Election Board at least 10 days before the day of the Secretarial election will be considered. The challenge must--	Need to clarify who can challenge the registered voters list because some portions say registered voters and others say eligible voters.	ALBQ	85
189	§ 81.34	How are errors in the Registered Voters List corrected?	Any eligible voter may challenge the accuracy of the Registered Voters List. Only written challenges received by the Secretarial Election Board at least 10 days before the day of the Secretarial election will be considered. The challenge must--	Way it is currently written, only registered voters can challenge Registration List. So, non-registered voter can't challenge to be put on list. Need to change so can.	OKC	89
189	§ 81.34	How are errors in the Registered Voters List corrected?	Any eligible voter may challenge the accuracy of the Registered Voters List. Only written challenges received by the Secretarial Election Board at least 10 days before the day of the Secretarial election will be considered. The challenge must--	Who may challenge the voter registration list	SAC	80
190	§ 81.34(a)	How are errors in the Registered Voters List corrected?	(a) State the name of the eligible voter and that the name does or does not appear on the Registered Voters List; and			
191	§ 81.34(b)	How are errors in the Registered Voters List corrected?	(b) State the reason(s) why the eligible voter should or should not be registered.			
192	§ 81.35	Does the Secretarial Election Board respond to challenges?	Yes. The Secretarial Election Board must--	can the tribe challenge the voter registration list? Not addressed directly in the draft-lengthy discussion on this	Minn	47
193	§ 81.35(a)	Does the Secretarial Election Board respond to challenges?	(a) Rule on each challenge at least ten (10) days before the Secretarial election;	Unclear on how much time the election board has to rule on a challenge	SAC	83
194	§ 81.35(b)	Does the Secretarial Election Board r	(b) Disallow a challenge, if--			
195	§ 81.35(b)(1)	Does the Secretarial Election Board respond to challenges?	(1) The challenge was received less than ten days before the date of the Secretarial election, or			

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196	§ 81.35(b)(2)	Does the Secretarial Election Board respond to challenges?	(2) The voter registration form was received after the deadline date for voter registration;			
197	§ 81.35(c)	Does the Secretarial Election Board respond to challenges?	(c) Correct the Registered Voters List to--			
198	§ 81.35(d)	Does the Secretarial Election Board respond to challenges?	(d) Post a corrected Registered Voters List at the sites listed in § 81.45; and			
199	§ 81.35(e)	Does the Secretarial Election Board respond to challenges?	(e) Provide a copy of the corrected Registered Voters List to each designated polling place.			
200	§ 81.36	Where does voting take place?	Voting is conducted at designated polling places or by absentee ballot.			
201	§ 81.37	How are votes cast in a Secretarial election?	Voting may be by paper ballot or such other method that provides for voting in secrecy and is prescribed by the tribe's laws or established by the Secretarial Election Board.	Worried about one person casting multiple votes. No verification process for envelope (i.e. witness)?	OKC	72
201	§ 81.37	How are votes cast in a Secretarial election?	Voting may be by paper ballot or such other method that provides for voting in secrecy and is prescribed by the tribe's laws or established by the Secretarial Election Board.	Do "hand-delivered" votes for several people delivered by one person need to come under scrutiny (for relatives and non-relatives)?	OKC	71
201	§ 81.37	How are votes cast in a Secretarial election?	Voting may be by paper ballot or such other method that provides for voting in secrecy and is prescribed by the tribe's laws or established by the Secretarial Election Board.	If the tribal constitution doesn't have written language allowing absentee ballots (silent) but it's been allowed in past elections, absentee ballots allowed?	ALBQ	87
202	§ 81.40(a)	Who may vote by absentee ballot in a Secretarial election?	(a) The first time an Indian tribe adopts a constitution or charter of incorporation under the IRA, OIWA or ANRA, all registered voters may vote by absentee ballot, regardless of their residence.			
203	§ 81.40(b)	Who may vote by absentee ballot in a Secretarial election?	(b) In a Secretarial election to amend the constitution or charter of incorporation, absentee voting is allowed if the eligible voter--	Who determines if an election is absentee or vote locally?	OKC	38

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203	§ 81.40(b)	Who may vote by absentee ballot in a Secretarial election?	(b) In a Secretarial election to amend the constitution or charter of incorporation, absentee voting is allowed if the eligible voter--	when a tribe's constitution is silent regarding (for example) absentee voting - on what document do we rely - need to add something in regulations	Minn	40
203	§ 81.40(b)	Who may vote by absentee ballot in a Secretarial election?	(b) In a Secretarial election to amend the constitution or charter of incorporation, absentee voting is allowed if the eligible voter--	need to clarify if a constitution rules or the ordinance on, for example, absentee voting	Minn	32
203	§ 81.40(b)	Who may vote by absentee ballot in a Secretarial election?	(b) In a Secretarial election to amend the constitution or charter of incorporation, absentee voting is allowed if the eligible voter--	Want to use "what your tribal law states or your election ordinance states" rule for absentee ballot requestors voting in person.	OKC	98
203	§ 81.40(b)	Who may vote by absentee ballot in a Secretarial election?	(b) In a Secretarial election to amend the constitution or charter of incorporation, absentee voting is allowed if the eligible voter--	Clarify	OKC	91
204	§ 81.40(b)(1)	Who may vote by absentee ballot in	(1) Requests an absentee ballot; and			
205	§ 81.40(b)(2)	Who may vote by absentee ballot in a Secretarial election?	(2) Meets the requirements for absentee voting established by the tribe's constitution.	Why not go by tribal constitution when defining who is eligible to vote/residency?	OKC	48
205	§ 81.40(b)(2)	Who may vote by absentee ballot in a Secretarial election?	(2) Meets the requirements for absentee voting established by the tribe's constitution.	Focus on voting eligibility should be tribal membership not residency. Need to get rid of ambiguity in language and address absentee ballots.	ALBQ	70
206	§ 81.40(c)	Who may vote by absentee ballot in a Secretarial election?	(c) The Secretarial Election Board may choose not to use polling places and provide for the issuance and receipt of ballots entirely through the United States Postal Service.	Decision that election is all absentee = upon request by tribe or mutual decision by Election Board and tribe?	OKC	38
206	§ 81.40(c)	Who may vote by absentee ballot in a Secretarial election?	(c) The Secretarial Election Board may choose not to use polling places and provide for the issuance and receipt of ballots entirely through the United States Postal Service.	Reorganize, put up under (a)	OKC	92

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207	§ 81.41	How are eligible voters notified absentee ballots are available?	If the Secretarial election is not conducted completely by absentee ballot, an absentee ballot request form must be included in the Secretarial Election Notice and Registration Packet. To receive an absentee ballot, an eligible voter must complete and submit the absentee ballot request on or before the date established as a deadline for receipt of absentee ballots.	Need to add language that 1) you can request a new absentee ballot of necessary and 2) if you receive an absentee ballot you can't vote in person because your name won't be on the list.	OKC	94
207	§ 81.41	How are eligible voters notified absentee ballots are available?	If the Secretarial election is not conducted completely by absentee ballot, an absentee ballot request form must be included in the Secretarial Election Notice and Registration Packet. To receive an absentee ballot, an eligible voter must complete and submit the absentee ballot request on or before the date established as a deadline for receipt of absentee ballots.	May need to look into allowing absentee ballots to walk in and vote based on tribal ordinance, state and federal law. At least address.	OKC	95
208	§ 81.42	How are absentee ballots completed and returned?	Registered voters must complete and return the absentee ballot by--			
209	§ 81.42(a)	How are absentee ballots completed and returned?	(a) Marking the ballot, folding it to conceal the markings, and placing it in an inner envelope marked "Absentee Ballot";			
210	§ 81.42(b)	How are absentee ballots completed and returned?	(b) Sealing the inner envelope marked "Absentee Ballot" and placing it in the pre-addressed outer envelope;			
211	§ 81.42(c)	How are absentee ballots completed and returned?	(c) Sealing the pre-addressed outer envelope, signing the envelope, and completing the certificate on the back of the envelope;			
212	§ 81.42(d)	How are absentee ballots completed and returned?	(d) Mailing the pre-addressed outer envelope through the U.S. Postal Service.			

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213	§ 81.43(a)	When must an absentee ballot be received?	(a) Absentee ballots must be received by the deadline established by the Secretarial Election Board.			
214	§ 81.43(b)	When must an absentee ballot be received?	(b) Absentee ballots cannot be counted if received by the Secretarial Election Board later than a deadline established by the Secretarial Election Board.			
215	§ 81.43(c)	When must an absentee ballot be received?	(c) Absentee ballots must be mailed at least ten (10) days before the deadline to return the ballots to the Secretarial Election Board --	suggests there should be no provision for hand carrying absentee ballots -- that they should be mailed in	SAC	74
215	§ 81.43(c)	When must an absentee ballot be received?	(c) Absentee ballots must be mailed at least ten (10) days before the deadline to return the ballots to the Secretarial Election Board --	handling ballots: is it necessary to include how we handle hand-carried ballots in the regs? Can that be in the handbook?	SAC	74
216	§ 81.43(c)(1)	When must an absentee ballot be received?	(1) Unless the request for an absentee ballot is received less than 10 days before the deadline to return the ballot to the Secretarial Election Board;			
217	§ 81.43(c)(2)	When must an absentee ballot be received?	(2) Unless the registered voter asked to exchange a damaged absentee ballot less than 10 days before the deadline to return the ballot to the Secretarial Election Board; or			
218	§ 81.43(c)(3)	When must an absentee ballot be received?	(3) Unless the voter is notified, less than 10 days before the deadline for returning the ballot to the Secretarial Election Board, he successfully challenged his omission from the posted Registered Voters List; and,			
219	§ 81.43(c)(4)	When must an absentee ballot be received?	(4) Absentee ballots must be received by the Secretarial Election Board not later than the close of the polls or as otherwise directed by the Secretarial Election Board.			
220	§ 81.45(a)	How are polling sites and voting districts established?	(a) The Secretarial Election Board must designate--			

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221	§ 81.45(a)(1)	How are polling sites and voting districts established?	(1) Voting district(s) as established by the Indian tribe's constitution, election ordinance or resolution;			
222	§ 81.45(a)(2)	How are polling sites and voting districts established?	(2) Designate one polling site for each voting district; and			
223	§ 81.45(a)(3)	How are polling sites and voting districts established?	(3) Establish a District Secretarial Election Board for each voting district, if required by the tribe's constitution, election ordinance or resolution.			
224	§ 81.45(b)	How are polling sites and voting districts established?	(b) The Secretarial Election Board may, in the absence of a provision in the tribe's constitution, election ordinance or resolution establish polling sites and designate voting districts within the boundaries of the reservation, if the tribe has a reservation.			
225	§ 81.46	Is electioneering allowed during a Secretarial election?	Electioneering is permitted, but cannot take place within 50 feet of the entrance to a polling site. Sample ballots are permitted in the voting booth. Improper electioneering prior to and during a Secretarial election is prohibited.	Need to add in who enforces electioneering ban, what happens if someone doesn't want to follow the rules.	ALBQ	100
226	§ 81.47	Are interpreters provided for a Secretarial election?	Yes. Upon the request of a registered voter, and as needed to assist registered voters, an interpreter must be provided. At the request of a registered voter, the interpreter may accompany the voter into the voting booth. The interpreter may explain the process and voting instructions, but must not influence the voter in casting the ballot.	Illiteracy not addressed - what do you do in that situation?	Pala	39
227	§ 81.48	How are votes cast at a polling site?	To cast a ballot, a registered voter must--			
228	§ 81.48(a)	How are votes cast at a polling site?	(a) Arrive at the appropriate polling place within the prescribed voting hours;			

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229	§ 81.48(b)	How are votes cast at a polling site?	(b) Identify himself to the Secretarial election officials by name and address;			
230	§ 81.48(c)	How are votes cast at a polling site?	(c) Provide appropriate identification;			
231	§ 81.48(d)	How are votes cast at a polling site?	(d) Sign or make his mark on the List of Registered Voters;			
232	§ 81.48(e)	How are votes cast at a polling site?	(e) Vote by secret ballot, using the method established by the Secretarial Election Board;	Method of voting tribal decision or Bureau decision?	OKC	23
233	§ 81.48(f)	How are votes cast at a polling site?	(f) Mark the ballot appropriately and place it in the ballot box or enter his selection(s) in a voting machine that has been certified accurate and tamper-proof by means acceptable to the Secretarial Election Board.			
234	§ 81.50(a)	How are ballots prepared?	(a) The Secretarial Election Board must inform voters in clear, simple language that a vote in a Secretarial election is either for or against the proposal. For example: Tribe A proposes an amendment to reduce the Indian blood required for membership from one-half to one-fourth. Voters must choose one alternative by marking "yes" or "no" on the ballot. In this case, a "no" vote would keep the one-half requirement; a "yes" vote would change the requirement to the one-fourth.			
235	§ 81.50(b)	How are ballots prepared?	(b) The Secretarial Election Board must--			
236	§ 81.50(b)(1)	How are ballots prepared?	(1) Ensure each proposal is clear and understandable;			
237	§ 81.50(b)(2)	How are ballots prepared?	(2) Avoid contradictions by listing all sections of the tribe's governing documents that would be impacted by the proposal;			

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238	§ 81.50(b)(3)	How are ballots prepared?	(3) Designate multiple proposals by letter, not a number (for example, the first proposed amendment will be "Proposed Amendment A," the second "Proposed Amendment B," and so on);			
239	§ 81.50(b)(4)	How are ballots prepared?	(4) Confirm the Secretarial Election Board Chairperson has approved the ballot's form and content before reproducing it; and			
240	§ 81.50(b)(5)	How are ballots prepared?	(5) Stamp, in red or blue ink, the face of each paper ballot with-- OFFICIAL BALLOT (Facsimile Signature) CHAIRPERSON, SECRETARIAL ELECTION BOARD			
241	§ 81.51	How are absentee ballots prepared?	The requirements found in § 81..50 also apply to absentee ballots. In addition, the Secretarial Election Board must provide each absentee voter with an absentee ballot package containing--			
242	§ 81.51(a)	How are absentee ballots prepared?	(a) An absentee ballot;			
243	§ 81.51(b)	How are absentee ballots prepared?	(b) Instructions for completing the absentee ballot;			
244	§ 81.51(c)	How are absentee ballots prepared?	(c) An inner envelope with the words "Absentee Ballot" printed on the outside;			
245	§ 81.51(d)	How are absentee ballots prepared?	(d) A copy of the proposed document or amendment, if the full text is not printed			

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246	§ 81.51(e)	How are absentee ballots prepared?	(e) A pre-addressed envelope with the following certification printed on the back: "I, (print name of voter), hereby certify I am a registered voter of the (name of Indian Tribe); I will be 18 years of age or older on the day of the Secretarial election; I am entitled to vote in the Secretarial election to be held on (date of Secretarial election). I further certify that I marked the enclosed ballot in secret. Signed: ___(voter's signature)."	When an envelope is provided for an absentee ballot, is it pre-addressed and have postage? Would like more details regarding mechanics	ALBQ	102
247	§ 81.52	Are damaged ballots replaced?	Damaged ballots may be replaced only if the ballot was not cast. However, the Secretarial Election Board cannot extend the deadline date to cast the absentee ballot.			
248	§ 81.52(a)	Are damaged ballots replaced?	(a) If the damaged ballot was cast, the Secretarial Election Board			
249	§ 81.52(a)(1)	Are damaged ballots replaced?	(1) Cannot issue another ballot; and			
250	§ 81.52(a)(2)	Are damaged ballots replaced?	(2) Must count the damaged ballot as part of the total number of votes cast in the Secretarial election.	If wrong, may need to change?	ALBQ	102
251	§ 81.52(b)	Are damaged ballots replaced?	(b) If the voter is at a polling place and the damaged ballot has not yet been cast—			
252	§ 81.52(b)(1)	Are damaged ballots replaced?	(1) The registered voter must return the damaged ballot to the Secretarial Election Board.			
253	§ 81.52(b)(2)	Are damaged ballots replaced?	(2) The Secretarial Election Board member will mark 'Invalid' on the damaged ballot, record that the ballot has been invalidated and furnish the voter with a new ballot.			
254	§ 81.52(c)	Are damaged ballots replaced?	(c) If an absentee ballot is damaged--			

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255	§ 81.52(c)(1)	Are damaged ballots replaced?	(1) The registered voter must return the damaged ballot and request, in writing or in person, another absentee ballot from the Secretarial Election Board; and			
256	§ 81.52(c)(2)	Are damaged ballots replaced?	(2) If the request is received before the deadline established by the Secretarial Election Board, the Secretarial Election Board must promptly provide another absentee ballot and note the dates of all related actions.			
257	§ 81.55	When are ballots counted?	The Secretarial Election Board must start counting ballots immediately after the polls close. All duly cast ballots, including spoiled ballots, must be counted as cast, even if the intent of the voter cannot be determined.			
258	§ 81.56(a)	How does the Secretarial Election Board determine whether the required percentage of qualified voters cast ballots?	(a) The Secretarial Election Board must count the number of cast ballots. The total is used to determine whether the percentage of qualified voters who cast a ballot meets the requirements of the tribe's governing documents or Federal statute.	When counting votes - Does it matter whether counted by hand or machine?	OKC	22
259	§ 81.56(b)	How does the Secretarial Election Board determine whether the required percentage of qualified voters cast ballots?	(b) Spoiled ballots cast by registered voters are included in the calculation to determine whether the required percentage of voters cast a ballot.			
260	§ 81.56(c)	How does the Secretarial Election Board determine whether the required percentage of qualified voters cast ballots?	(c) Damaged and invalid ballots are retained, but not included in the calculation to determine whether the required percentage of voters cast a ballot.			

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261	§ 81.57	§ 81.57 Are damaged or invalid ballots cast during the Secretarial election included in the election results?	No. Damaged and invalid ballots cast in a Secretarial election are not included in the Secretarial Election Board's tally to determine if a majority of those voting approved or disapproved a Secretarial election proposal.			
262	§ 81.58	Who certifies the results of the Secretarial election?	The Secretarial Election Board must certify the results of the Secretarial election.			
263	§ 81.58(a)	Who certifies the results of the Secretarial election?	(a) The Chairperson of the Secretarial Election Board must transmit to the Authorizing Official a signed Certificate of Election Results and--			
264	§ 81.58(a)(1)	Who certifies the results of the Secretarial election?	(1) The original text of the material voted on;			
265	§ 81.58(a)(2)	Who certifies the results of the Secretarial election?	(2) A copy of the Registers Voters List, Secretarial Election Notice, Registration Packet, and ballot;			
266	§ 81.58(a)(3)	Who certifies the results of the Secretarial election?	(3) Any challenges to the Secretarial election results; and			
267	§ 81.58(a)(4)	Who certifies the results of the Secretarial election?	(4) A report on the conduct of the Secretarial election.			
268	§ 81.58(b)	Who certifies the results of the Secretarial election?	(b) The Certificate of Secretarial Election Result must:			
269	§ 81.58(b)(1)	Who certifies the results of the Secretarial election?	(1) Be signed by the Chairperson and all members of the Secretarial Election Board present during the counting of ballots; and			
270	§ 81.58(b)(2)	Who certifies the results of the Secre	(2) Contain the following statement:			
271	§ 81.58(b)(2)	Who certifies the results of the Secretarial election?	Certificate of Results of Secretarial Election			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
272	§ 81.58(b)(2)	Who certifies the results of the Secretarial election?	Pursuant to a Secretarial election authorized by (name and title of authorizing official) on (date), the attached [insert: Constitution and Bylaws, charter of incorporation, amendment or revocation] of the (official name of Indian tribe) was submitted to the qualified voters of the tribe and on (date) duly (insert: adopted, (rejected or revoked) by a vote of (number) for and (number) against and (number) cast ballots found spoiled or mutilated in an election in which at least 30 percent (or such "percentages" as may be required to amend according the constitution) of the (number) members entitled to vote, cast their ballot in accordance with (appropriate Federal statute).			
273	§ 81.58(b)(2)	Who certifies the results of the Secretarial election?	Signed: _____ (by the Chairperson of the Secretarial Election Board and Board Members)			
274	§ 81.58(b)(2)	Who certifies the results of the Secre	Date: _____			
275	§ 81.59	Where are the results of the Secretarial election posted?	After tabulating the votes, the Secretarial Election Board must post the results of the Secretarial election at the local Bureau office, the tribal headquarters, and at other public places listed in the Secretarial Election Notice.	These two sections must agree regarding posting results & time frame in which to challenge results of the election	Minn	72
276	§ 81.60	How are the results of the Secretarial election challenged?	Any registered voter may challenge the results of the Secretarial election. The written challenge, with substantiating evidence, must be received by the Local Bureau Official within three (3) days after the Secretarial Election Results are posted.	suggestion to extend the 3 day period in which to challenge the results because the Election Board needs more time in which to count absentee ballots	Minn	70

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
276	§ 81.60	How are the results of the Secretarial election challenged?	Any registered voter may challenge the results of the Secretarial election. The written challenge, with substantiating evidence, must be received by the Local Bureau Official within three (3) days after the Secretarial Election Results are posted.	suggest that it should be business days in which to challenge an election instead of calendar days	Minn	72
276	§ 81.60	How are the results of the Secretarial election challenged?	Any registered voter may challenge the results of the Secretarial election. The written challenge, with substantiating evidence, must be received by the Local Bureau Official within three (3) days after the Secretarial Election Results are posted.	Regarding right to challenge if not allowed to vote based on federally-recognized tribal membership.	ALBQ	72
276	§ 81.60	How are the results of the Secretarial election challenged?	Any registered voter may challenge the results of the Secretarial election. The written challenge, with substantiating evidence, must be received by the Local Bureau Official within three (3) days after the Secretarial Election Results are posted.	90 days = Calendar days, but 3 day challenge = Business days. Inconsistency may be a problem.	Minn	89
276	§ 81.60	How are the results of the Secretarial election challenged?	Any registered voter may challenge the results of the Secretarial election. The written challenge, with substantiating evidence, must be received by the Local Bureau Official within three (3) days after the Secretarial Election Results are posted.	Can the governing body challenge voter registration list-draft says "any eligible voter"	Pala	57
277	§ 81.61	When are the results of the Secretarial election under the OIWA final for the Department?	Under the OWA, the Chairperson of the Secretarial Election Board must certify 30% of those entitled to vote cast a ballot and post the results of the election.			
278	§ 81.61(a)	When are the results of the Secretarial election under the OIWA final for the Department?	(a) The results become final for the Department three (3) days after posting if no challenges are received by the Chairperson of the Secretarial Election Board.			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
279	§ 81.61(b)	When are the results of the Secretarial election under the OIWA final for the Department?	(b) If challenges are received, the Authorizing Official must determine all challenges within 45 days of the date of the election, at which time the results are final for the Department.			
280	§ 81.61(c)	When are the results of the Secretarial election under the OIWA final for the Department?	(c) If the Authorizing Official fails to act within 45 days, the results of the Secretarial election as certified by the Secretarial Election Board Chairperson are final.	Results are final for the department within 45 days of the election if the authorizing official does not act - is said 3 different ways	SAC	89
281	§ 81.62	When are the results of the Secretarial election under the IRA and ANRA final for the Department?	Once the results of a Secretarial election under the IRA or ANRA have been certified by the Secretarial Election Board, the Authorizing Official has forty-five (45) days from the date of the election to review the process, results, and all challenges to the Secretarial election.			
282	§ 81.62(a)	When are the results of the Secretarial election under the IRA and ANRA final for the Department?	(a) If a challenge is sustained, the Authorizing Official must disapprove the election results and authorize a recount or a new Secretarial election.			
283	§ 81.62(b)	When are the results of the Secretarial election under the IRA and ANRA final for the Department?	(b) If all challenges are not sustained, the Authorizing Official must verify:			
284	§ 81.62(b)(1)	When are the results of the Secretarial election under the IRA and ANRA final for the Department?	(1) The election materials were reviewed by the Local Bureau Official to ensure that the Secretarial election was conducted in a proper and fair manner;			
285	§ 81.62(b)(2)	When are the results of the Secretarial election under the IRA and ANRA final for the Department?	(2) The minimum number of voters required by the amending article of the constitution or charter or, at least, thirty percent (30%) of those entitled to vote cast a ballot;	Percentage necessary mentioned as 30%. 30% of registered voters or 30% of tribal membership?	OKC	65
286	§ 81.62(b)(3)	When are the results of the Secretarial election under the IRA	(3) The voters rejected or accepted the proposal;			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
287	§ 81.62(b)(4)	When are the results of the Secretarial election under the IRA	(4) The election results are approved; and			
288	§ 81.62(b)(5)	When are the results of the Secretarial election under the IRA	(5) The proposal is approved or disapproved.			
289	§ 81.62(c)	When are the results of the Secretarial election under the IRA and ANRA final for the Department?	(c) The Authorizing Official must notify, in writing, the Chairperson of the Secretarial Election Board, the recognized governing body of the Indian tribe, the Director of Bureau, and the spokesperson for the petitioners, when appropriate:			
290	§ 81.62(c)(1)	When are the results of the Secretarial election under the IRA	(1) The determination of all challenges;			
291	§ 81.62(c)(2)	When are the results of the Secretarial election under the IRA and ANRA final for the Department?	(2) Whether the proposed constitution, bylaws, amendment(s), revocation, or charter has been adopted or rejected by the voters; and			
292	§ 81.62(c)(3)	When are the results of the Secretarial election under the IRA	(3) Whether the proposal is contrary to Federal law; or			
293	§ 81.62(c)(4)	When are the results of the Secretarial election under the IRA and ANRA final for the Department?	(4) If adopted, the constitution, amendment(s) or charter is approved; and,			
294	§ 81.62(c)(5)	When are the results of the Secretarial election under the IRA	(5) The results are final for the Department.			
295	§ 81.62(e)	When are the results of the Secretari	(e) The Authorizing Official must --			
296	§ 81.62(e)(1)	When are the results of the Secretarial election under the IRA and ANRA final for the Department?	(1) Forward the original text of the document(s), original Certificate of Approval or Disapproval, and copy of the Certificate of Results of Election to the Indian tribe and provide a copy to the Director of the Bureau; and			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
297	§ 81.62(e)(2)	When are the results of the Secretarial election under the IRA and ANRA final for the Department?	(2) Retain, as required by the Schedule of Records, a copy of all document(s) voted upon, the completed Certificate of Results of Election, copy of the Certificate of Approval or Disapproval, the Registered Voters List, the Secretarial Election Notice and Registration Packet, and all original ballots.	Identity theft/Privacy concerns: What happens to info after elections, who has access?	OKC	76
297	§ 81.62(e)(2)	When are the results of the Secretarial election under the IRA and ANRA final for the Department?	(2) Retain, as required by the Schedule of Records, a copy of all document(s) voted upon, the completed Certificate of Results of Election, copy of the Certificate of Approval or Disapproval, the Registered Voters List, the Secretarial Election Notice and Registration Packet, and all original ballots.	Can tribes access information or have any influence on degree of accessibility of election info?	OKC	78
298	§ 81.62(f)	When are the results of the Secretarial election under the IRA and ANRA final for the Department?	(f) If the Authorizing Official fails to act within 45 days of the date of the election, the result of the Secretarial election as certified by the Secretarial Election Board Chairperson is final for the Department.			
299	§ 81.63	What is the chronology of actions governed by this part?	The actions governed by this part occur in accordance with the following timeline:			
300	§ 81.63	What is the chronology of actions governed by this part?	RECOGNIZED GOVERNING BODY or SPOKESPERSON for the petitioners requests a Secretarial election by submitting an appropriate request to the Local Bureau Office. (Timeline: None Section: 81.13)			
301	§ 81.63	What is the chronology of actions governed by this part?	LOCAL BUREAU OFFICIAL reviews the documents, issues technical comments, and advises recognized governing body of the Indian tribe if any section of document is contrary to Federal statute. (Timeline: Section: 81.15)			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
302	§ 81.63	What is the chronology of actions governed by this part?	RECOGNIZED GOVERNING BODY or SPOKESPERSON for the petitioner accepts or rejects Bureau comments and submits to Authorizing Official the final request and document(s) to be ratified. (Timeline: Section: 81.19)			
303	§ 81.63	What is the chronology of actions governed by this part?	AUTHORIZING OFFICIAL reviews final request and advises the Recognized Governing Body or Spokesperson of any provision that may be contrary to Federal statute; directs the Local Bureau Official to call the election; and appoints the Local Bureau Official Chairperson of the Secretarial Election Board. (Timeline: 90 days of receipt (Alaska 120 days) Section: 81.19)	appears that what is done in the 90 day timeframe is not clear	SAC	23
303	§ 81.63	What is the chronology of actions governed by this part?	AUTHORIZING OFFICIAL reviews final request and advises the Recognized Governing Body or Spokesperson of any provision that may be contrary to Federal statute; directs the Local Bureau Official to call the election; and appoints the Local Bureau Official Chairperson of the Secretarial Election Board. (Timeline: 90 days of receipt (Alaska 120 days) Section: 81.19)	process is there but nothing in draft for accountability - such nothing that causes the Bureau to hold the lection within 90 days	SAC	27
304	§ 81.63	What is the chronology of actions governed by this part?	LOCAL BUREAU OFFICIAL gives notice of any provision contrary to Federal statute and the final request or petition is complete. (Timeline: At least 30 days prior to election Section: 81.15)			
305	§ 81.63	What is the chronology of actions governed by this part?	RECOGNIZED GOVERNING BODY or SECRETARIAL ELECTION BOARD appoints at least two members to the Secretarial Election Board and provides a current eligible voters list. (Timeline: Section: 81.20 and 81.21)			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
306	§ 81.63	What is the chronology of actions governed by this part?	SECRETARIAL ELECTION BOARD sets date, time, site and appropriate deadlines for election; prepare and send Secretarial Election Notice and Registration Packets; post the Registered Voters List; determine challenges; submit all required documents to the Local Bureau Official. (Timeline: Section: 81.22)			
307	§ 81.63	What is the chronology of actions governed by this part?	SECRETARIAL ELECTION BOARD CHAIRPERSON appoints interpreters and polling place workers. (Timeline: Section: 81.23)			
308	§ 81.63	What is the chronology of actions governed by this part?	DISTRICT SECRETARIAL ELECTION BOARD is established by the Indian tribe's governing documents or the Secretarial Election Board. (Timeline: Section: 81.24)			
309	§ 81.63	What is the chronology of actions governed by this part?	SECRETARIAL ELECTION BOARD determines the percentage of registered voters casting ballots and certifies the results of the Secretarial election. (Timeline: Section: 81.56 and 81.58)			
310	§ 81.63	What is the chronology of actions governed by this part?	LOCAL BUREAU OFFICIAL must receive all challenges to the Secretarial election. (Timeline: Within 3 days Section: 81.60)			
311	§ 81.63	What is the chronology of actions governed by this part?	AUTHORIZING OFFICIAL must determine the validity of challenge and whether a recount or a new election is warranted; approves or disapproves the proposed document and election results; certify the results of the election; notifies the governing body of the Indian tribe and/or spokesperson for the petitioners; and retains all election documents as required by the Schedule of Records. (Timeline: Within 45 days Section: 81.61 and 81.62)			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
312		Total Document - General		Distinction between IRA/non-IRA tribes, and how regulations apply in relation to the 2004 Amendment.	AK	21
312		Total Document - General		Aside from the Regional Director in Juneau, who are the agency superintendents? What if there aren't any?	AK	50
312		Total Document - General		suggestion that there be two definitions both calendar and business days and be specific in the body of the regs	Minn	72
312		Total Document - General		Why can't Secretary work with the Native Villages? Why can't he get input from [] Native elders?	AK	30
312		Total Document - General		Clarify	OKC	156
312		Total Document - General		Shall we discuss that (comment #15) in the preamble	Pala	82
312		Total Document - General		distinctions between reorganized, historical tribes and communities of adult Indians not clear.	Pala	81
312		Total Document - General		"Notarize" and "notary" need to be defined terms. (p. 154 - Distinguish from legal witness)	OKC	152
312		Total Document - General		It should be a requirement that education meetings be held with the public regarding the Secretarial election and its process.	ALBQ	118
312		Total Document - General		Where's the educational part in time frame?	ALBQ	27
312		Total Document - General		Recommends putting in time frames for waiver process because 1.2 doesn't have it.	ALBQ	81
312		Total Document - General		Suggestion for using "national" ballots	Pala	38
312		Total Document - General		Use of electronic communicaiton, email and websites.	AK	24

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
312		Total Document - General		Some are more used to traditional mailing, and shorter deadlines imposed through Internet can be difficult, especially with spotty internet access in some of the non-central areas.	AK	25
312		Total Document - General		Do the reviews go to the Solicitors' or to the regional office? If they go to the Solicitor's, there's some concern regarding the time frame.	ALBQ	35
312		Total Document - General		All tribal members should be eligible to vote regardless of residency.	ALBQ	64
312		Total Document - General		What we need to do is either define "class of voters" or explain this better so that it will not be an issue. Address in handbook.	ALBQ	68
312		Total Document - General		Lack of reservations in AK. Need to delegate people to respond to all the non-IRA tribes.	AK	55
312		Total Document - General		Clarification needed on process to ensure that voter registration packets are safeguarded & confidential, and will not be open to public after Secretarial Board reviews them.	ALBQ	76
312		Total Document - General		Calendar days vs. business days is in definitions but should it be mentioned in the body of the regs	Minn	27
312		Total Document - General		Final request vs. appropriate request; why is there two requests "final" and "appropriate"	Minn	16
312		Total Document - General		Need to include a provision for technical assistance	Minn	15
312		Total Document - General		Can a dual tribe member challenge the voter roles for both tribes?	AK	69
312		Total Document - General		suggestion for a chart outlining the process as part of the regs-may be a chart could go in handbook	SAC	126

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
312		Total Document - General		Can a tribe enact an ordinance to allow people to be notaries? And if they did, under their legal authority, then would the notary have to be from the tribe or from the state?	OKC	155
312		Total Document - General		What is the difference between a traditional government and an IRA government as far as statutorily, primary powers that are given the local governing body?	AK	79
312		Total Document - General		Is there a point where so much revision, revoke constitution and give option of voting on a new fully revised constitution?	ALBQ	28
312		Total Document - General		need to address interpretation of tribal constitution in the draft regulations	SAC	48
312		Total Document - General		Discussion on what's considered privacy in a petition and the actual voting record	SAC	118
312		Total Document - General		Cross reference the regulations where waivers are in the CFR	SAC	102
312		Total Document - General		If doing a major change with constitution, does 90 day or 180 day time frame apply?	ALBQ	26
312		Total Document - General		If going to have waiver issues or want a process for waiver, recommend that be put in here as there are none currently to take care of process issues that might pop up.	ALBQ	79
312		Total Document - General		Penalty for election fraud?	OKC	75
312		Total Document - General		Handbook as non-binding, "best practices." Preamble should have descriptions of how things carried out, but more mechanics do need to be put to regulation itself.	OKC	86
312		Total Document - General		Does the US Constitution define "residency" and "residence"?	OKC	47

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
312		Total Document - General		Reiterated: Waivers to the regulations should be addressed in regulations or preamble	SAC	99
312		Total Document - General		Waivers to the regulations should be addressed in regulations or preamble	SAC	98
312		Total Document - General		Discussion concerning release of voter information under FOIA after the election, i.e., what can be released	SAC	94
312		Total Document - General		Is a petition a matter of public record after approved by the Bureau to proceed or after it is received?	ALBQ	115
312		Total Document - General		"Indian country" maybe better than "reservation."	OKC	45
312		Total Document - General		Why are tribes allowed to be federally recognized without territorial boundaries (reservations)? Where does the Secretary of Interior come in when [tribe] needs help enforcing what [the] constitution says [they] have the power to do?	AK	40
312		Total Document - General		New and old language difficult to compare in current format. Requests change to more appropriate format.	OKC	45
312		Total Document - General		Changes in definition that are inconsistent between drafts and between proposed amendments, etc.	OKC	118
312		Total Document - General		Find the federal laws concerning the right to vote for incarcerated	SAC	79
312		Total Document - General		Request information, such as when comments need to be made by, be delivered prior to meeting and not at the meeting.	OKC	58

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
312		Total Document - General		Meeting notes and formal procedure for enrollment should be sent out to the Tribal Governments.	AK	64
312		Total Document - General		What if absentee ballots are sent out to an individual that did not even request one, and there was critical information inside the envelope?	OKC	80
312		Total Document - General		DOI/BIA should help communities update enrollments, providing funds so that it can happen.	AK	61
312		Total Document - General		What happens if the Election Board itself is involved in voter fraud?	OKC	80
312		Total Document - General		Class of voters = people who adopted constitution. This doesn't work for some tribes like Isleta. Need to address this issue to allow class to change.	ALBQ	66
312		Total Document - General		need to communicate highlighted	SAC	66
312		Total Document - General		New and old language difficult to compare in current format. Requests change to more appropriate format.	OKC	118
312		Total Document - General		Add details regarding mechanics and process in handbook/preamble so that it's very clear that each one of the steps would be followed appropriately.	ALBQ	91
312		Total Document - General		Don't want posting on the internet tied to time frame for challenges.	ALBQ	108
312		Total Document - General		Need to address illiterate, handicapped.	ALBQ	100
312		Total Document - General		applicable federal laws and something about tribal law should be in the preamble	SAC	68
312		Total Document - General		suggestion for status letters to be in the preamble or handbook	SAC	68

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
312		Total Document - General		Action on the order in which proposals are received should be back in the draft. Is in the current regulations	SAC	104
312		Total Document - General		Possible to post election results on website?	ALBQ	106
312		Total Document - General		Why can't tribes follow their own election ordinances regarding who can vote and all that?	OKC	60
312		Total Document - General		best practices handbook suggested suggesting a letter to keep everyone on tract with the time frames	SAC	65
312		Total Document - General		can other timeframes be worked in?	SAC	64
312		Total Document - General		have a checklist which should help regarding meeting timeframes in the regs	SAC	61
312		Total Document - General		There are tribes who's membership criteria includes members of other tribes. Some concern on being able to verify blood quantum.	AK	65
313	§ 82.1	What is the purpose of this part?	This part establishes requirements for and validation of petitions requesting the Secretary to call elections as required by the governing documents or charters of incorporation of Indian tribes, the Indian Reorganization Act, 25 U.S.C. 476, as amended, the Oklahoma Indian Welfare Act (OIWA), 25 U.S.C. 503, and the Alaska Native Reorganization Act, (ANRA), 25 U.S.C. 473a.			
314	§ 82.2	What terms do I need to know?	For purposes of this part:			
315	§ 82.2	What terms do I need to know?	Adult member means a member of an Indian tribe, as defined in this section, who is at least 18 years of age.			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
316	§ 82.2	What terms do I need to know?	Authorizing Official means the Bureau official with delegated Federal authority to authorize a Secretarial election, generally the Regional Director or Director of the Bureau.			
317	§ 82.2	What terms do I need to know?	Bureau means the Bureau of Indian Affairs, Department of the Interior.			
318	§ 82.2	What terms do I need to know?	Charter means a charter of incorporation issued, pursuant to Federal statute, by the Authorizing Official to a federally recognized Indian tribe.			
319	§ 82.2	What terms do I need to know?	Eligible voter means an enrolled tribal member who will be 18 years of age or older on the date of the election.			
320	§ 82.2	What terms do I need to know?	Eligible voter means a tribal member who will be 18 years of age or older on the date of the Secretarial election and eligible to register to vote in a Secretarial election.			
321	§ 82.2	What terms do I need to know?	Federal statute means the Indian Reorganization Act, 25 U.S.C. 476, 477, as amended, the Oklahoma Indian Welfare Act, 26 U.S.C. 503, or the Alaska Native Reorganization Act, 25 U.S.C. 473a.			
322	§ 82.2	What terms do I need to know?	Indian means any person who is a member of those tribes listed or eligible to be listed in the FEDERAL REGISTER pursuant to 25 U.S.C. 479a—1(a); a descendant of a member who was residing within the boundaries of any Indian reservation on June 1, 1934; a person of one-half or more of Indian blood derived from a tribe which still has a relationship with the Federal government; or an Eskimo or other aboriginal person of Alaska.			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
323	§ 82.2	What terms do I need to know?	Indian means: (1) All persons who are members of those tribes listed or eligible to be listed in the FEDERAL REGISTER pursuant to 25 CFR 83.6(b) as recognized by and receiving services from the Bureau of Indian Affairs; provided, that the tribes have not voted to exclude themselves from the Act of June 18, 1934, 43 Stat. 984, as amended; and, (2) any person not a member of one of the listed or eligible to be listed tribes who possesses at least one-half degree of Indian blood.			
324	§ 82.2	What terms do I need to know?	Indian tribe means an Indian or Alaska Native tribe, band, nation, pueblo, village, or community which is eligible to appear or appears on the list of federally-recognized tribes and tribal entities published in the FEDERAL REGISTER pursuant to 25 U.S.C. 479a--1(a).			
325	§ 82.2	What terms do I need to know?	Local Bureau Official means the Superintendent, Field Representative, or other official having delegated federal administrative responsibility under this Part.	Keep "local bureau official" and "authorizing officer" or use "superintendent" and "regional director"? Maybe clarify in handbook.	Minn	110
326	§ 82.2	What terms do I need to know?	Member means a person who meets the written criteria of and is enrolled with the Indian tribe. In the absence of written criteria, a member is a person recognized by the local Indian community as belonging to the Indian tribe and participating in that Indian tribe's cultural and/or political processes.			
327	§ 82.2	What terms do I need to know?	Membership list means a document that contains the names, current addresses, dates of birth, and tribal roll numbers of the members of the tribe.			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
328	§ 82.2	What terms do I need to know?	Official filing date means the date that a petition was received and date stamped by the Local Bureau Official.			
329	§ 82.2	What terms do I need to know?	Organized tribe means an Indian tribe that has adopted a constitution under exclusive tribal authority, rather than a Federal statute.			
330	§ 82.2	What terms do I need to know?	Petition means a written request for a Secretarial election under 25 CFR Part 81.			
331	§ 82.2	What terms do I need to know?	Registered voter means an eligible voter who is registered to vote in the Secretarial election.			
332	§ 82.2	What terms do I need to know?	Recognized governing body means the Indian tribe's governing body recognized by the Bureau for the purposes of government-to-government relations.			
333	§ 82.2	What terms do I need to know?	Reorganized tribe means an Indian tribe whose members have adopted a constitution pursuant to a Federal statute.			
334	§ 82.2	What terms do I need to know?	Reservation means any area of land reserved by treaty, statute, or Executive Order, or otherwise set aside for Indians to use or occupy under the Federal Government's supervision.			
335	§ 82.2	What terms do I need to know?	Residing means physically living on the reservation.	Definition of "residing" in terms of "reservation" is unclear, especially in regards to OK where there are no reservations.	OKC	39
335	§ 82.2	What terms do I need to know?	Residing means physically living on the reservation.	Need restriction on work "reservation" not definition for "residency." Need ability to define jurisdictional area.	OKC	43

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
335	§ 82.2	What terms do I need to know?	Residing means physically living on the reservation.	Need to clearly define "residing" for Okla. And those tribes in similar circumstances, also students & military. "Residence" = permanent residence?	OKC	42
335	§ 82.2	What terms do I need to know?	Residing means physically living on the reservation.	Need to define "residents" -- "reside" in reservation or "on or near"?	OKC	30
336	§ 82.2	What terms do I need to know?	Secretarial election (as compared to a tribal election that is conducted by the tribe under exclusive tribal authority) means an election conducted under this Part and pursuant to a Federal statute or tribal constitution (see Cheyenne River Sioux Tribe v. Andrus, 566 F. 2d 1085 (8th Cir., 1977), cert. denied 439 U.S. 820 (1978).			
337	§ 82.2	What terms do I need to know?	Secretary means the Secretary of the Interior or authorized representative exercising authority delegated by the Secretary.			
338	§ 82.2	What terms do I need to know?	Spokesperson for the petitioners means an eligible voter of the tribe who initiates a petition or who is designated by tribal members who are eligible voters to speak on their behalf.			
339	§ 82.2	What terms do I need to know?	Tribal government means recognized governing body.			
340	§ 82.3	Information collection.	The information collection requirement contained in this part will be approved by the Office of Management and Budget under the Paperwork Reduction Act of 1995, 44 U.S.C. 3507(d), and assigned clearance number 1076-XXXX. Information is collected when individuals or tribes submit petitions to organize or reorganize under Federal statute.	Strike "when individuals or tribes" and put "individual members" because only members can petition?	Minn	99

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
341	§ 82.4	Is technical assistance available?	Yes. Local Bureau personnel provide technical assistance to tribal governments in the drafting constitutions, bylaws, charters of incorporation, amendments and revocations, as well as the Secretarial election process.			
342	§ 82.5(a)	Who must follow these procedures?	(a) An Indian tribe whose constitution or charter of incorporation requires a petition to the Secretary requesting an election under 25 CFR Part 81 to--			
343	§ 82.5(a)(1)	Who must follow these procedures?	(1) Amend or revise the constitution or charter of incorporation; or			
344	§ 82.5(a)(2)	Who must follow these procedures?	(2) Take any other action authorized by the constitution or charter of incorporation.			
345	§ 82.5(b)	Who must follow these procedures?	(b) An adult tribal member who is an eligible voter of an Indian tribe and whose constitution or charter of incorporation provides a process for an individual to petition the Secretary to authorize an election under 25 CFR Part 81.			
346	§ 82.6	Who may initiate and circulate a petition?	A tribal member authorized to sign a petition under § 82.8 may initiate a petition, seek signatures for the petition, and serve as spokesperson for the petitioners.			
347	§ 82.7	How do I format the petition?	A petition should have as many pages as necessary to hold all the signatures. At minimum, each page of the petition must contain--	Combine because want every page of the petition notarized.	Minn	102
348	§ 82.7(a)	How do I format the petition?	(a) A summary of the purpose of the petition;			
349	§ 82.7(b)	How do I format the petition?	(b) The articles to be amended			
350	§ 82.7(c)	How do I format the petition?	(c) The proposed language to amend, revise or revoke; and			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
351	§ 82.7(d)	How do I format the petition?	(d) Labeled lines for each signer to provide a printed name, mailing address, signature, and date of signature;			
352	§ 82.8	Who may sign a petition?	Any duly enrolled member of a reorganized tribe or tribe seeking reorganization, who is eligible to vote in an election conducted under 25 CFR Part 81.			
353	§ 82.9(a)	How are signatures to the petition authenticated?	(a) Each page of the petition must contain—			
354	§ 82.9(a)(1)	How are signatures to the petition authenticated?	(1) An authenticating statement that has been signed before a notary public and received the notarization of that official; or			
355	§ 82.9(a)(2)	How are signatures to the petition authenticated?	(2) The notarized signatures of each signer to the petition.			
356	§ 82.9(b)	How are signatures to the petition authenticated?	(b) An authenticating statement must provide that the person signing it believes the individuals that have signed the petition are eligible voters and that the information provided by the signers is correct. For example: Each signature was made on the date entered and by the individual whose name appears on the petition. To the best of my knowledge, the individual signing the petition is an eligible voter.			
357	§ 82.10(a)	How many signatures do I need for a petition?	(a) The spokesperson for the petitioners must request a determination of the required number of signatures needed for a petition from the Local Bureau Official.			
358	§ 82.10(a)(1)	How many signatures do I need for a petition?	(1) The Local Bureau Official must consult the---			
359	§ 82.10(a)(1)(i)	How many signatures do I need for a petition?	(i) Tribal governing body to determine the current number of eligible tribal voters; and			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
360	§ 82.10(a)(1)(ii)	How many signatures do I need for a petition?	(ii) The tribe's governing documents to determine the percentage of tribal members who must sign a petition.			
361	§ 82.10(a)(2)	How many signatures do I need for a petition?	(2) If the tribe is not reorganized under Federal statute, the petition for must be signed by at least sixty percent (60%) of the adult tribal members who are eligible to vote in an election conducted by the Secretary pursuant to 25 CFR Part 81.	Why is the word "not" in there?	Minn	106
361	§ 82.10(a)(2)	How many signatures do I need for a petition?	(2) If the tribe is not reorganized under Federal statute, the petition for must be signed by at least sixty percent (60%) of the adult tribal members who are eligible to vote in an election conducted by the Secretary pursuant to 25 CFR Part 81.	Questions regarding "recognized" and "reorganized" tribes, and differing % of votes required for the groups.	OKC	138
361	§ 82.10(a)(2)	How many signatures do I need for a petition?	(2) If the tribe is not reorganized under Federal statute, the petition for must be signed by at least sixty percent (60%) of the adult tribal members who are eligible to vote in an election conducted by the Secretary pursuant to 25 CFR Part 81.	Needs further clarification concerning organized or reorganized and also the percentage required under tribe's constitution	Minn	107
362	§ 82.10(b)	How many signatures do I need for a petition?	(b) The Local Bureau Official will send a letter to the spokesperson for the petitioners confirming the number of signatures required for the petition. The letter will contain a notice that no signatures may be added or deleted after the petition is officially filed with the Department.			
363	§ 82.11	When must the petition be filed?	The petition must be filed within 180 days of the date of the earliest signature to the petition.			

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
364	§ 82.12(a)	How is a petition filed?	(a) The spokesperson must present the Local Bureau Official with the petition, including all original signature pages.			
365	§ 82.12(b)	How is a petition filed?	(b) The Local Bureau Official must, within 7 days of the official filing date—	82.12(b) conflicts with 82.12(b)(1)	SAC	125
366	§ 82.12(b)(1)	How is a petition filed?	(1) Date stamp each page of the petition on the day of receipt to record the Official Filing Date;			
367	§ 82.12(b)(2)	How is a petition filed?	(2) Certify no signature will be added to or withdrawn from the petition after the official filing date;			
368	§ 82.12(b)(3)	How is a petition filed?	(3) Provide the spokesperson for the petitioners a written receipt of the petition, including the exact number of signatures and the Official Filing Date; and			
369	§ 82.12(b)(4)	How is a petition filed?	(4) Mail a copy of the written receipt and summary of petition to the recognized tribal governing body.			
370	§ 82.13	Are the petition and signatures available for review?	Yes. When the petition is officially filed, the Local Bureau Official must reproduce the petition, including all of its signature pages. The reproduction of the petition and signature pages must be publicly posted at the local Bureau office for 30 days following the Official Filing Date.	Need revise what is actually posted of the petition-do we need to redact addresses?	SAC	122
370	§ 82.13	Are the petition and signatures available for review?	Yes. When the petition is officially filed, the Local Bureau Official must reproduce the petition, including all of its signature pages. The reproduction of the petition and signature pages must be publicly posted at the local Bureau office for 30 days following the Official Filing Date.	Same objection to posting addresses	SAC	123

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
371	§ 82.14(a)	How are signatures to the petition challenged?	(a) Any eligible voter may challenge the signatures appearing on the petition.			
372	§ 82.14(b)	How are signatures to the petition challenged?	(b) The written challenge must be submitted to the Local Bureau Official within 30 days of the Official Filing Date of the petition. The challenge must--	30 days for posting of petition-30 days to challenge-is not clear to what we were referring	SAC	126
373	§ 82.14(b)(1)	How are signatures to the petition challenged?	(1) Identify the page and line on which a signature appears; and			
374	§ 82.14(b)(2)	How are signatures to the petition challenged?	(2) Provide documentation supporting a challenge the signature was forged; made by an ineligible or unqualified voter; placed on an inconsistent or improperly formatted signature page; or not properly authenticated or notarized.	Needs clarification. Challenge forged signature method, maybe include in handbook.	Minn	108
375	§ 82.15	How is the petition validated by the local Bureau Official?	Within 45 calendar days of the Official Filing Date, the Local Bureau Official must transmit the original petition and all signatures and challenges to the Authorizing Official. The Local Bureau Official must---			
376	§ 82.15(a)	How is the petition validated by the local Bureau Official?	(a) Confirm the petition has the required number of signatures;			
377	§ 82.15(b)	How is the petition validated by the local Bureau Official?	(b) Indicate any signatures appearing more than once and include only one in the count;			
378	§ 82.15(c)	How is the petition validated by the local Bureau Official?	(c) Make recommendations regarding any challenge to the validity of signatures based upon the documentation provided by the challenger; and			
379	§ 82.15(d)	How is the petition validated by the local Bureau Official?	(d) Verify the petitioning procedures complied with this Part.			
380	§ 82.16(a)	When does the Authorizing Official determine the petition is valid or invalid?	(a) Within 60 calendar days of the official filing date, the Authorizing Official must--	What's required for a succesful petition?	OKC	81

Part 81 and 82 ID	Subsection	Question	Text - Draft Regulation	Comment	Meeting Location	Transcript Page
381	§ 82.16(a)(1)	When does the Authorizing Official determine the petition is valid or invalid?	(1) Determine whether the petition complies with the requirements of this Part;			
382	§ 82.16(a)(2)	When does the Authorizing Official determine the petition is valid or invalid?	(2) Inform, in writing, the spokesperson for the petitioners and the recognized tribal governing body whether the petition is valid and the basis for that determination; and	additional language needed for valid or invalid petition	SAC	127
383	§ 82.16(b)	When does the Authorizing Official determine the petition is valid or invalid?	(b) The decision of the Authorizing Official is final for the Department.	"So, is this, in fact, correct that there is no appeal?" Response: "we need to look into that"	SAC	128
384	§ 82.17	May the same petition be used for more than one Secretarial election?	No. Each request for a Secretarial election requires a new petition.			
385	Part 82	Total Document - General		What happens if an amendment petition comes in and then another petition comes in for doing the exact opposite of what the amendment proposes?	Minn	104
385	Part 82	Total Document - General		Indicate in handbook or somewhere that messing with the signature sheets will invalidate them.	Minn	103
385	Part 82	Total Document - General		Detail procedure for petitioning and federal law review in handbook/preamble	Minn	92
385	Part 82	Total Document - General		Our "occupying class," what does that mean?	OKC	31
385	Part 82	Total Document - General		What happens if the BIA erred in processing a petition for a new resolution?	ALBQ	36
385	Part 82	Total Document - General		Consider improvements to process of petitioning. Maybe add a checklist so tribes can make sure they have everything before turning a resolution in.	ALBQ	40