



# United States Department of the Interior

## BUREAU OF INDIAN AFFAIRS

Midwest Regional Office

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**JUN 06 2016**

IN REPLY REFER TO:  
Tribal Operations

### Memorandum

To: Assistant Secretary – Indian Affairs  
Director, Bureau of Indian Affairs  
Deputy Director, Indian Services

From: Regional Director *Acting*

Subject: Minnesota Chippewa Tribe  
Request for Waiver of Regulations at 25 C.F.R. Part 81

The Minnesota Chippewa Tribe (Tribe) is preparing to hold a Secretarial election to vote on two proposed amendments to the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe (Constitution). On May 17, 2016, this office issued its technical comments to the proposed amendments. By letter of May 26, 2016, Norman Deschampe, President, Minnesota Chippewa Tribe, submitted a request for a waiver of the Secretary's regulations in order to maximize voter participation. Pursuant to 25 C.F.R. § 1.2, the Tribe is requesting that the Secretary make exception to his regulation. 25 C.F.R. § 1.2, states:

The regulations in chapter I of title 25 of the Code of Federal Regulations are of general application. Notwithstanding any limitations contained in the regulations of this chapter, the Secretary retains the power to waive or make exceptions to his regulations as found in chapter I of title 25 CFR in all cases where permitted by law and the Secretary finds that such waiver or exception is in the best interest of the Indians.

We have reviewed the Tribe's proposal and have compared it with the affected sections of the regulations. Our review shows that the Tribe made a considerable effort to ensure that all eligible voters, both on and off-reservation, have the opportunity to participate in the election on election day. The goal is to allow voting through the mail, at reservation poll sites, and off-reservation poll-sites, which is similar to tribal elections and consistent with past Secretarial elections. We support the Tribe's request and recommend approval for a waiver. Attached for your review and consideration are the following:

- 1) The Minnesota Chippewa Tribe's May 26, 2016 waiver request;
- 2) Tribal Executive Committee Resolution 95-15, adopted on May 14, 2015;

- 3) Our comparison of the current regulations and the Tribe's request;
- 4) A copy of the Secretary's September 20, 2005 waiver; and
- 5) Revised Constitution and Bylaws of the Minnesota Chippewa Tribe

We request an expedited review. If you have any questions or need additional information, do not hesitate to contact Sherrel LaPointe, Tribal Operations Officer, at (612) 725-4554.

Attachments

cc: Chief, Division of Tribal Government Services