MEMORANDUM

TO: Director, Bureau of Indian Affairs
   Attention: Tribal Services

FROM: Regional Director, Southern Plains Region

SUBJECT: Certification of Secretarial Election – Tonkawa Tribe of Indians of Oklahoma

Attached for your records are the following items from the Tonkawa Tribe of Indians of Oklahoma Secretarrial Election conducted March 9, 2013.

2. Certificate of Results
3. Proposed Amendment A, now designated as Amendment No. 1
4. Certificate of Approval

Any questions regarding this matter, please contact Sherry Lovin, Tribal Government Specialist at 405/247-1534.

Attachment(s)
CERTIFICATE OF RESULTS OF ELECTION

Pursuant to a Secretarial election authorized by Terry Bruner, Acting Regional Director, on November 16, 2012, the attached Amendment A to the Constitution and By-Laws of the Tonkawa Tribe of Indians of Oklahoma was submitted to the qualified voters of the Tonkawa Tribe of Indians of Oklahoma on March 9, 2013, and was ratified/rejected by a vote of 67 for and 18 against, with 0 cast ballots found separated or mutilated, in an election which at least thirty percent (30%) of the 137 entitled to vote cast their ballots in accordance with Article X of the Constitution of the Tonkawa Tribe of Indians of Oklahoma.

Sherry Lovin, Chairperson
Tonkawa Secretarial Election Board

Don L. Patterson, Board Member
Tonkawa Secretarial Election Board

James E. Schreen, Board Member
Tonkawa Secretarial Election Board

Candace Myer, Board Member
Tonkawa Secretarial Election Board

Date: March 9, 2013
Don L. Patterson, President  
Tonkawa Tribe of Indians of Oklahoma  
1 Rush Buffalo Road  
Tonkawa, Oklahoma 74653

Dear President Patterson:

On September 19, 2012, the Tonkawa Tribal Committee of the Tonkawa Tribe of Indians of Oklahoma enacted Resolution Number T-R-27-12 to propose an amendment to its Constitution and request the Secretary to authorize an election to allow tribal members the opportunity to vote on the proposed amendment. The language of the proposed amendment is as follows:

AMENDMENT A

ARTICLE II – Qualification of Officers

Any person elected to membership on the Tribal Committee shall be not less than 21 years of age and a member of the Tonkawa Tribe of Indians of Oklahoma. At the time of his election, he shall be an actual resident of the State of Oklahoma, and has never been convicted of any felony by any court of competent jurisdiction. Any person convicted of a felony while holding an elective office or who moves from the State of Oklahoma shall automatically lose office.

The amendment is hereby approved pursuant to the authority delegated to the Regional Director by 209 DM 8 and 10 BIAM 3.1. The amendment will become effective when ratified by the adult members as provided in Article X – Amendments of the tribe’s current constitution.

I hereby authorize an election to be called and conducted. Voting on the proposed amendment shall be conducted in accordance with the regulations in 25 CFR §81, and consistent with the amendment provision of the tribe’s constitution. Please note, 25 CFR §81.11, 81.12, 81.13 and 81.14, regarding the need to develop a list of persons eligible and registered to vote and the deadlines entitled. The registration list must be posted at least twenty (20) days prior to the election which does not include the dates of posting and election day.

The date of the election shall be set by the Chairman of the Election Board in cooperation with tribal representatives and shall not be less than thirty (30) days nor more than sixty (60) days from the date of
posting notices of the election. Section 81.8 provides for an election board composed of a chairman and at least two (2) representatives of the tribe. The election board shall furnish suitable ballots and supervise the election.

In accordance with 25 CFR §81.8 the election board will consist of the officer in charge acting as chairman and at least two representatives of the tribal governing body or an authorized representative committee. The officer in charge is defined as the Superintendent, Administrative officer, or other official of the local unit of the BIA (or Bureau employee that such person might designate) having administrative jurisdiction over a tribe. Therefore, I hereby designate Sherry Lovin, Southern Plains Region, Tribal Government Specialist, as Chairperson of the secretarial election board of the above authorized election.

The tribe now needs to appoint the tribal representatives for the Secretarial Election Board. Once appointed they should contact Ms. Lovin as soon as possible to set up a meeting for the election process to begin.

Once the authorization has been granted by the Secretary or his authorized representative, no modification, including correction, deletion or retyping of the authorized version of the proposed amendment shall be made by the Agency Office. In accordance with 25 CFR § 81.5(F), this authorization becomes null and void unless acted upon within ninety (90) days from the date of issuance.

If you have any questions, contact Sherry Lovin, Tribal Government Specialist at 405/247-1534.

Sincerely,

[Signature]

ACTING Regional Director

Enclosure
AMENDMENT A

The proposed amendment would replace the current Article II – Qualification of Officers, Tonkawa Tribe of Indians of Oklahoma's Constitution and Bylaws as follows:

ARTICLE II – Qualification of Officers

Any person elected to membership on the Tribal Committee shall be not less than 21 years of age and a member of the Tonkawa Tribe of Indians of Oklahoma. At the time of his election, he shall be an actual resident of the State of Oklahoma, and has never been convicted of any felony by any court of competent jurisdiction. Any person convicted of any felony while holding an elective office or who moves from the State of Oklahoma shall automatically lose office.

NUMERICAL DESIGNATION

Having been duly adopted and approved, proposed Amendment A is hereby designated as Amendment No. VI to the Constitution of the Tonkawa Tribe of Indians of Oklahoma.
CERTIFICATE OF APPROVAL

AMENDMENT NO. VI

I, Dan Deerinwater, Regional Director, Southern Plains Region, Bureau of Indian Affairs, by virtue of the authority granted to the Secretary of Interior by the Act of June 18, 1934, 48 Stat. 984, as amended, which was delegated to the Assistant Secretary – Indian Affairs by 209 DM 8.3 and redelegated by 3 IAM 4.4, do hereby approve the foregoing Amendment No. 1 to the Constitution and Bylaws of the Tonkawa Tribe of Indians of Oklahoma. This amendment was duly adopted by a majority of the qualified voters who cast ballots in the March 9, 2013, election.

Dan Deerinwater, Regional Director
Southern Plains Region
Anadarko, Oklahoma

3/13/13
Date