



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

NOV 20 2009

Dear Tribal Leader:

The Bureau of Indian Affairs, Office of Indian Services, Division of Tribal Government Services, and the Office of Regulatory Affairs & Collaborative Action, Office of the Assistant Secretary - Indian Affairs, announce upcoming tribal consultation sessions scheduled during the months of December 2009 and January 2010. We welcome your participation in the sessions and encourage your questions and comments.

The consultation meetings will address revisions to the Secretarial election regulations and petitioning process under 25 CFR Parts 81 and 82. The draft proposed rule would:

- Incorporate the amendments made to Section 16 of the Indian Reorganization Act (IRA) (June 18, 1934, 48 Stat. 984), as amended, by the Act of November 1, 1988 (Pub. L. 100-581, 102 Stat. 2938), which established time frames within which the Secretary of the Interior must call and conduct Secretarial elections;
- Reflect the amendments made to Section 17 of the IRA by the Act of May 24, 1990 (Pub. L. 101-301, 104 Stat. 207) under which non-IRA tribes may petition for charter of incorporation and would remove the requirement of a Secretarial election to ratify new charters;
- Reflect the addition of two new subsections to Section 16 of the IRA by the Technical Corrections Act of 1994 (Pub. L. 103-263, 108 Stat. 707), which eliminates distinctions between Indians reorganized as historical tribes and those reorganized as communities of adult Indians;
- Include language clarifying that an IRA tribe may amend its constitution to remove Secretarial approval of future amendments as indicated by the new subsection to Section 16 of the IRA with the enactment of the Native American Technical Corrections Act of 2004 (Pub. L. 108-204, 118 Stat. 543);
- Provide guidelines for the approval or disapproval of charters by the Secretary; and
- Correct demonstrated weaknesses and clarify confusing in the existing regulations.

A copy of the draft proposed regulation and consultation schedule is attached.

For your convenience, the enclosed comment form can be used if you are unable to attend consultation sessions and wish to submit comments. Please send written comments to the Division of Tribal Government Services, Bureau of Indian Affairs, 1849 C Street, N.W., MS-MIB-4513, Washington, D.C. 20240. Facsimile comments may be transmitted to (202) 208-5113.

We encourage all tribes or authorized tribal representatives to attend one or more consultation sessions and/or submit your written comments to us. If you have further questions, please contact Ms. Elizabeth Colliflower, Tribal Relations Specialist at (202) 513-7641.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Echo Hawk". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Larry Echo Hawk
Assistant Secretary – Indian Affairs

Enclosures (2)