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Resolution # 045-121223

“Approval of the 2024 SCN Election Ordinance as amended 12/12/2023”

WHEREAS: The Seneca-Cayuga Nation is a federally recognized Indian Tribe, organized under the Oklahoma Indian Welfare Act of 1936, with a constitution and By-Laws approved by the Secretary of Interior on April 26, 1937, and ratified by a vote of the General Council of the Tribe on May 15, 1937, **AND**

WHEREAS: The Business Committee is empowered under Article VI of the Constitution and By-laws to transact business and otherwise speak or act on behalf of the Seneca-Cayuga Nation in all matters in which the Nation is empowered to act, **AND**

WHEREAS: The Business Committee has drafted and amended the 2024 SCN Election Ordinance on 12/12/2023. **NOW**

THEREFORE, BE IT RESOLVED: that the Business Committee does hereby approve and enact the 2024 SCN Election Ordinance as amended 12/12/2023. Any previous SCN Election Ordinance is hereby rescinded.

CERTIFICATION

The foregoing Amended Resolution was passed email polling of the Business Committee of the Seneca-Cayuga Nation conducted on 12/12/2023 with a vote of 5 for, 0 against, 1 abstained.

ATTEST:
DocuSigned by:
Kim Guyett
A3AF2429E0FF463
Kim Guyett, Secretary-Treasurer

DocuSigned by:
Charles Diebold
C3CFA653E5404EC
Charles Diebold, Chief

SENECA-CAYUGA NATION

2024 ELECTION ORDINANCE GOVERNING THE CONDUCT OF THE JUNE 1, 2024, ELECTION OF THE ELECTED OFFICIALS OF THE NATION

Regular Election of the Nation's elected officials shall be held pursuant to this Election Ordinance and shall be held at the annual meeting of the General Council conducted during the year of the scheduled election of the Nation officials. Vacancies in any elective office shall be filled pursuant to this Election Ordinance at any regular or special meeting of the Seneca-Cayuga Nation General Council.

**2024 ELECTION ORDINANCE GOVERNING THE CONDUCT OF THE
JUNE 1, 2024, ELECTION OF THE ELECTED OFFICIALS OF THE
NATION**

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ARTICLE I - AUTHORITY

This Election Ordinance of the Nation is adopted by the Business Committee of the Nation pursuant to ARTICLE VI BUSINESS COMMITTEE AND ARTICLE VIII ANNUAL MEETINGS of the Constitution of the Seneca-Cayuga Nation, as amended April 14, 2023.

ARTICLE II - PURPOSE

The purpose of this Ordinance is to establish rules, policies and voting procedures for the orderly election of the elected officials of the Seneca-Cayuga Nation in accordance with the Constitution and By-Laws, as amended April 14, 2023.

ARTICLE III - REPEALER

Any previous Election and Voting Ordinance or Election Ordinance is hereby repealed.

ARTICLE IV - EFFECTIVE DATE

This Election Ordinance shall be effective immediately and for the conduct of the regular election of officials of the Business Committee and for the election of officials of the Grievance Committee of the Seneca-Cayuga Nation and shall continue in effect until rescinded by Resolution of the Seneca-Cayuga Nation Business Committee. No amendments to or replacement of this Ordinance shall occur within ninety (90) days of any scheduled election of the Seneca-Cayuga Nation.

ARTICLE V - SEVERABILITY

Should any part of this Ordinance be determined to be unconstitutional, then and in that event, the remainder of this Ordinance shall continue to be given full effect and shall survive such determination.

ARTICLE VI - APPLICABLE PROVISIONS OF THE CONSTITUTION AND BY-LAWS

(a) ARTICLE IV MEMBERSHIP OF THE NATION of the Constitution, “The supreme governing body of the Nation shall be the Seneca-Cayuga General Council. The membership of the General Council shall be all members of the Seneca-Cayuga Nation eighteen (18) years of age and older.”

(b) ARTICLE V OFFICERS of the Constitution, “The Officers of the Nation shall be the Chief, Second Chief, Secretary-Treasurer, and four (4) Councilmen who shall be elected by secret ballot.”

(c) ARTICLE VI BUSINESS COMMITTEE of the Constitution, “There shall be a Business Committee which shall consist of the officers and councilmen as provided in Article V. The Business Committee shall have power to transact business and otherwise speak or act on behalf of the Seneca-Cayuga Nation in all matters on which the Nation is empowered to act.”

(d) ARTICLE VII STANDING COMMITTEES, of the Constitution, “Section 1. Grievance Committee. This Committee shall be elected by the Council and shall not include any members of the Business Committee.”

(e) ARTICLE VIII ANNUAL MEETINGS of the Constitution, “Annual meetings shall be held on the first Saturday of June of each year for the purpose of receiving reports and any other business which may come before the Council. Election of officers will also be held at such annual meetings. In order to provide for staggered terms of office, the Second-Chief, Secretary-Treasurer, Second Councilperson, and Fourth Councilperson shall be elected; and two years later, the Chief, First

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Councilperson and Third Councilperson shall be elected. All officers are elected for a four (4) year term of office and shall serve until the earlier of the installation of his/her duly elected successor or sixty (60) days after the expiration of the officer's current four-year term. Regular elections of the Business Committee shall be held pursuant to a Nation election ordinance prescribed by the Business Committee."

(f) ARTICLE IX VACANCIES of the Constitution, "Vacancies in any elective office shall be filled at any regular or special meeting of the Seneca-Cayuga Council."

(g) ARTICLE X REMOVAL OF OFFICERS of the Constitution, "The Grievance Committee shall investigate complaints of misconduct or other acts of the members of the Business Committee and upon a proper showing shall call a special meeting of the Seneca-Cayuga Council to act upon such complaints. Such council shall have power, by majority vote, after giving the accused a hearing, to remove him from office and proceed to elect a successor."

(h) ARTICLE I DUTIES OF OFFICERS of the By-Laws to the Constitution, "Section 1. Chief. It shall be the duty of the chief to preside at all meetings and perform all duties appertaining to the office, also to act as chairman of the Business Committee."

(i) ARTICLE II QUALIFICATIONS OF OFFICERS, of the By-Laws to the Constitution, "Any person elected to membership in the business council shall be not less than 25 years of age, a member of the Seneca-Cayuga Nation and reside within a radius of 150 miles in any direction from Bassett Grove Stomp Grounds."

(j) ARTICLE III Regular and Special Meetings of the By-Laws to the Constitution.

Section 1. Regular meetings of the Council shall be held on the first Saturday of June of each year at the Bassett Grove Ceremonial Grounds unless some other point under the Seneca-Cayuga Nation jurisdiction is specifically designated in the call.

Section 2. Special meetings of the Council may be called by the Chief and shall be called by him upon the written request of the majority of the Business Committee or the written request of One-hundred fifty (150) members of the Nation.

Section 3. The principal object of the special meeting must be stated in the call for same and may include the words "and for the transaction of other business that may be presented." Unless these words are added, no other business can be transacted except for the object stated in the call.

ARTICLE VII- ELECTION COMMITTEE

SECTION 1. AUTHORITY

Pursuant to the authority contained within Article VI Business Committee of the Nation Constitution, the Seneca-Cayuga Nation Election Committee is hereby established, to uphold and enforce the provisions of the Election Ordinance.

(a) The Business Committee hereby delegates certain ministerial duties to perform on its behalf within this Ordinance to the Election Committee. The Election Committee shall be responsible:

(1) To provide the Election Notice developed in accordance with Article IX, Section 4 of this Ordinance for the approval of the Election Administrator engaged by the Business Committee pursuant to Article VIII, Section 1.

(a) To cause the Election Notice developed in accordance with Article IX, Section 4 of this

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Ordinance to be published and posted as directed therein.

- (2) To receive Declarations of Candidacy pursuant to Article IX, Section 6 of this Ordinance.
- (3) To receive the Filing fees required pursuant to Article IX, Section 7 of this Ordinance.
- (4) To Verify the Qualifications of Candidates with the Enrollment Officer pursuant to Article IX, Section 9 of this Ordinance.
- (5) To post a List of Qualified Candidates on the Nation Website and at the Nation's Headquarters Building pursuant to Article IX, Section 9 or 10 if necessary, of this Ordinance.
- (6) To observe the pickup of the Absentee Ballots from the post office box and the placement of the contents into the Absentee Ballot Box and the delivery of the Absentee Ballot Box to the Polling Place on the day of the election in accordance with Article X, Section 3(b) and (c) of this Ordinance.
- (7) To observe the counting of ballots pursuant to Article XI, Section 1(a) of this Ordinance.
- (8) Receive candidate's selection of one observer to watch the counting of ballots pursuant to Article XI Section 1(c)(7) of this Ordinance.
- (9) To receive requests for a recount of the voting results and receive the associated fees in accordance with Article XI, Section 3(a) of this Ordinance.
- 10) To post the unofficial certified election voting results in accordance with Article XI, Section 4 of this Ordinance.

Members of the Election Committee shall be available at the Polling Place at all times during the polling period. The Election Committee shall be available to the Election Administrator at Election Administrator's request, throughout the election period to perform such support services as may be required by the Election Administrator to include but not to be limited to mail services and assistance to the Election Administrator at the polling place on the day of the election. Additional Nation support staff may be appointed by the Business Committee upon the written request of the Election Administrator.

SECTION 2. ELECTION COMMITTEE COMPOSITION

The Election Committee shall be appointed by the Business Committee.

- (a) The Election Committee shall consist of five (5) individuals to serve in the following capacities:
 - (1) Chairperson
 - (2) Vice Chairperson
 - (3) Secretary
 - (4) First Committee Member
 - (5) Second Committee Member
- (b) Prior to the adoption of this Election Ordinance the Election Committee consisted of three (3) individuals serving in the following capacities:
 - (1) Chairperson
 - (2) Vice Chairperson
 - (3) Clerk

Due to the resignation of the previous Chairperson, Vice Chairperson, Maxine Brafford shall ascend to the current Chairperson position and Cynthia Rios, the previous Clerk shall serve in the current Secretary position of the Election Committee. The Business Committee has appointed three additional

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members to the Election Committee JR Matthews, Raylene Hackler, and Steven Bunch that are to assume the duties of the following now vacant Election Committee positions: Vice Chairperson, First Committee Member and Second Committee Member.

Election Committee Chairperson, Maxine Brafford shall call a meeting of the five (5) appointed members of the Election Committee during which the five (5) members shall take an oath of office and be sworn into office by the Chief and thereafter shall cast their vote as to which position each of the newly appointed three individuals shall serve. The Chairperson of the Election Committee shall notify the Chief of the results of said election at the conclusion of the meeting.

Furthermore, the Business Committee may add quorum member(s) any time the Election Committee fails to meet for lack of quorum. Such quorum member(s) shall serve in case a regular member is unable to perform due to illness, absence from the area, a conflict of interest, or upon the resignation or death of any member and shall only serve as a member until a quorum is established by a regular member.

The Election Committee shall at no time consist of any elected official of any duly elected committee or an immediate family member of the Business Committee. No Election Committee member shall be immediate family to any other Election Committee member. For the purposes of this Section immediate family member shall mean husband-wife, parent, offspring, or sibling and all persons who live in the same household related by blood or not.

An Election Committee member must resign his/her committee position upon officially filing for candidacy.

(a) Oaths of Office: All persons appointed as Members of the Election Committee shall, before entering upon the duties of their offices, take an oath of office as prescribed by the Business Committee. Said oath shall be retained by the Secretary-Treasurer of the Business Committee.

(b) Terms: The Election Committee members shall serve at the discretion of the Business Committee. An Election Committee member may be removed from office by a majority vote of the Business Committee and a replacement may be appointed. An Election Committee member may resign their position at any time upon giving notice to the Business Committee.

(c) Costs: The cost of conducting a meeting of the Election Committee, including a stipend cost to cover travel costs of Committee members to attend the meeting, shall be paid from the Tribe's General Operations Account. The amount of any such stipend or necessary supplies shall be determined by and approved by the Business Committee.

SECTION 3. MEETINGS

(a) Calling of Meeting: A meeting of the Election Committee shall be called by the Election Committee Chairperson providing notice to the other Committee members and notice to the Business Committee as necessary to fulfill the Committees duties and obligations set forth in this Ordinance; or upon notice and copy of the proposed agenda to the Business Committee that a meeting is necessary to address matters put before the Election Committee. All meetings shall be held at Nation headquarters or other places as directed by the Business Committee.

(b) Quorum: A quorum shall consist of three (3) members of the Election Committee. No vote of the Election Committee shall be valid in the absence of a quorum.

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SECTION 4. RECORDS

The Election Committee shall maintain complete and accurate minutes of its meetings. A copy of these records shall be filed with the Secretary-Treasurer's office within two days of the completion of an election or referendum vote.

SECTION 5. DUTIES OF ELECTION COMMITTEE MEMBERS

(a) Chairperson: Shall be the presiding member responsible for the overall activities of the Election Committee, including safekeeping of Committee records. Shall perform the duties and responsibilities assigned to uphold and enforce the Election Ordinance.

(b) Vice Chairperson: In the absence of the Chairperson shall assume and perform the duties of the Chairperson. Shall perform the duties and responsibilities assigned to uphold and enforce the Election Ordinance.

(c) Secretary: Shall record and maintain accurate minutes of meetings and a sign-in sheet for each meeting. Maintain all the records pertaining to the Election Committee and perform other duties including but not limited to providing mail services, receive/record, and prepare receipts of all fees received and keep an accurate account of receipts and all disbursements. Prepare purchase requests/payment requests for supplies and materials needed by the Committee and submit to the procurement specialist for approvals. Shall submit each meeting's sign-in sheet to the finance department payroll accountant for the payment of a stipend to each attendee. Shall perform the duties and responsibilities assigned to uphold and enforce the Election Ordinance.

(d) First and Second Committee Members: Shall perform the duties and responsibilities assigned to uphold and enforce the Election Ordinance.

(e) Quorum Member: Shall serve as member until a quorum is established by a regular or alternate member or shall serve as a member if required due to one or more of the Election Committee members being disqualified due to conflict of interest.

SECTION 6. CONFLICT OF INTEREST

Members of the Election Committee and the Enrollment Officer are required to meet Conflict of Interest requirements immediately after the Certification of Candidates. Committee Members and/or Enrollment Officer are required to recuse themselves from the business of the Committee and Election in the event a conflict is determined. For the purposes of this Section, immediate family members shall mean, husband-wife, parent-offspring, or sibling and all persons who live in the same household related by blood or not. Each member of the Election Committee and the Enrollment Officer shall provide the Chairperson of the Election Committee with a list of their immediate family members and shall keep said list current at all times.

In the event the Nation's Enrollment Officer is disqualified from participating in an Election, the Business Committee shall appoint an Official Designee to perform such duties as assigned to the Enrollment Officer as outlined in this Ordinance. The Nation's Secretary-Treasurer shall inform the Election Administrator, in writing, if an Official Designee has been appointed.

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ARTICLE VIII - CONDUCT OF ELECTIONS

SECTION 1. ENGAGEMENT OF INDEPENDENT ELECTION ADMINISTRATOR.

By no later than the first Tuesday of January each year of a scheduled regular election of the Nation's officials or as soon as practicable prior to an election, the Business Committee shall engage the services of an Election Administrator as an independent contractor to conduct regular or special election(s) of Nation officials. The independent contractor so engaged shall perform the duties and powers cited herein and shall conduct the Nation's election(s) in compliance with this Ordinance, their engagement contract and the Constitution and By-Laws of the Seneca-Cayuga Nation.

(a) The engagement contract entered into between the Nation and Election Administrator shall contain the following provisions:

(1) Contractor agrees that no person who has a financial interest in Contractor is or shall be a candidate for an elected position of the Nation's Government, nor is or shall be related to an elected member of the Nation's Government, nor is or shall be related to a candidate for an elected position of the Nation's Government.

(2) Contractor agrees that no elected member of Nation's Government, nor a candidate for an elected position of the Nation's Government, nor a relative of an elected position of the Nation's Government, nor a relative of a candidate for an elected position of the Nation's Government may be hired or work as an employee of Contractor.

(b) The Election Administrator so engaged shall report to the Business Committee and the Enrollment Committee as directed herein.

(c) The Election Administrator or authorized representative(s) shall be available at any General Council meeting to oversee all General Council votes to be conducted by "secret ballot".

(d) By no later than 120 days of a scheduled regular election of the Nation's Officials or as soon as practicable prior to an election, the Election Administrator shall mail an Election Notice along with the Voter Registration Form provided by the Enrollment Committee to each member of the Nation whose name is contained on the Eligible Voter List notifying all persons that have not previously registered to vote that desire to vote in the upcoming election of the officials of the Seneca-Cayuga Nation must complete and return a Voter Registration Form to the Enrollment Officer registering to vote and shall elect to vote at the Polling Place or to vote by Absentee Ballot no later than ninety (90) days before the date set for any given election. The members of the Nation 18 years of age and older shall be required to register to vote only one-time, once a member has registered to vote they shall remain registered voters.

The members of the Nation 18 years of age and older that have previously filed a Voter Registration Form shall be notified that they should only complete and submit a Voter Registration Form to change their residence address or mailing address; or their election to vote at the Polling Place or to vote by Absentee Ballot.

All Voter Registration Forms must be received in the Nation Post Office Box 453220 Grove, Ok 74345 Attention: Enrollment Officer no later than 11:00 a.m. on the 90th day prior to the date set for any given election.

(e) The Enrollment Committee shall determine each individual members voting status based upon the Near Reservation geographic service area designated by the Assistant Secretary-Indian Affairs for the Nation, which is defined as where financial assistance and social services programs are provided

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as follows: Financial assistance and social services programs are to be provided to the enrolled members of the Nation that reside within the Nation's former reservation boundary and extend to the enrolled members of the Nation that reside within a fifty (50) mile commutable radius of the Nation's headquarters office located in Grove, Ok. Therefore, all enrolled members of the General Council with a residence address within a 50 mile commutable radius of the Nation's headquarters office located in Grove, OK shall be established as Resident Voters and those with a residence address located outside of said fifty (50) mile commutable radius of the Nation's headquarters office shall be established as Non-Resident Voters.

The members of the Nation that returned their Voter Registration Form to the Enrollment Officer within the required timeframe as established by the Enrollment Committee prior to the date set for the election shall be placed on the Registered Voter List which shall be prepared by the Enrollment Officer.

The Registered Voter List prepared by the Enrollment Officer shall be subdivided into two (2) parts.

(1) Subpart 1 shall be titled Registered Resident Voter List and shall consist of an alphabetized list containing the full name to include the maiden name; roll number; date of birth; residence address; mailing address; and voter registration number of each member who has previously filed a Voter Registration Form with an enrollment residence address that is within a fifty mile commutable radius of the Nation's headquarters office 23701 S 655 Road Grove, OK.

The first two digits of any new Voter Registration Number's assigned shall be alpha characters RV, followed by a six digit sequential numeric number and the last digit shall be an alpha character to be determined based upon the voter's election as to the method chosen to cast their ballot. If the registered voter elected to cast their ballot at the polling place, the alpha character to be assigned shall be "P". If the registered voter elected to cast their ballot by absentee ballot, the alpha character to be assigned shall be "A".

(2) Subpart 2 shall be titled Registered Non-Resident Voter List and shall consist of an alphabetized list containing the full name to include the maiden name; roll number; date of birth; residence address; mailing address; and voter registration number of each member who has previously filed a Voter Registration Form with an enrollment residence address that is not within a fifty mile commutable radius of the Nation's headquarters office 23701 S 655 Road Grove, OK.

The first two digits of any new Voter Registration Number's assigned shall be alpha characters NV, followed by a six digit sequential numeric number and the last digit shall be an alpha character to be determined based upon the voter's election as to the method chosen to cast their ballot. If the registered voter elected to cast their ballot at the polling place, the alpha character to be assigned shall be "P". If the registered voter elected to cast their ballot by absentee ballot, the alpha character to be assigned shall be "A".

(3) The total number of all the members that have returned their Voter Registration Form and those who previously registered shall constitute the Registered Voter List to cast their ballot in the scheduled election. **The Enrollment Officer shall provide a copy of the Registered Voter List to the Election Administrator upon its completion which shall be used only for the purposes of carrying out each of the delegated responsibilities pursuant to this Election Ordinance. Said Registered Voter List shall be held as confidential and not be shared with any other party.**

(1) The Election Administrator shall see that every Qualified Candidate for office shall receive a copy of the Registered Voter Mailing List at the time of filing for elective office. The Registered Voter Mailing List thus provided, shall not contain the name of the member listed on the Registered Voter List,

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but shall read “Tribal Member” and the mailing address of each member listed on the Registered Voter List. **The Election Administrator shall provide a copy of the Registered Voter Mailing List to the Election Committee and the Deputy Director of Governmental Operations upon its completion.**

SECTION 2. REGULAR ELECTION.

In accordance with ARTICLE VIII of the Constitution of the Seneca-Cayuga Nation as amended April 14, 2023, annual meetings shall be held on the first Saturday of June of each year for the purpose of receiving reports and any other business which may come before the Council. Election of officers will also be held at such annual meetings. In order to provide for staggered terms of office, the Second - Chief, Secretary-Treasurer, Second Councilperson and Fourth Councilperson shall be elected; and two years later, the Chief, First Councilperson and Third Councilperson shall be elected. All officers are elected for a four (4) year term of office and shall serve until the earlier of the installation of his/her duly elected successor or sixty (60) days after the expiration of the officer’s current four-year term. Regular elections of the Business Committee shall be held pursuant to a Nation election ordinance prescribed by the Business Committee.

(a) Regular elections of the Business Committee, consisting of seven (7) members. In accordance with ARTICLE VIII of the Seneca-Cayuga Nation Constitution as amended April 14, 2023, the officers shall be elected for a four (4) year term of office and shall serve until the earlier of the installation of his/her duly elected successor or sixty (60) days after the expiration of the officer’s current four-year term.

The current terms of the membership of the Business Committee are hereby established as follows:

CHIEF	CURRENT TERM TO EXPIRE	JUNE 1, 2024
SECOND CHIEF	CURRENT TERM TO EXPIRE	JUNE 6, 2026
SECRETARY-TREASURER	CURRENT TERM TO EXPIRE	JUNE 6, 2026
FIRST COUNCILPERSON	CURRENT TERM TO EXPIRE	JUNE 1, 2024
SECOND COUNCILPERSON	CURRENT TERM TO EXPIRE	JUNE 6, 2026
THIRD COUNCILPERSON	CURRENT TERM TO EXPIRE	JUNE 1, 2024
FOURTH COUNCILPERSON	CURRENT TERM TO EXPIRE	JUNE 6, 2026

(b) Regular elections of the Grievance Committee, consisting of five (5) members. In keeping with ARTICLE VIII of the Seneca-Cayuga Nation Constitution as amended April 14, 2023, the officials shall be elected for a four (4) year term of office and shall serve until the earlier of the installation of his/her duly elected successor or sixty (60) days after the expiration of the officer’s current four-year term.

The current terms of the membership of the Grievance Committee are hereby established as follows:

FIRST COMMITTEE MEMBER	CURRENT TERM TO EXPIRE	JUNE 1, 2024
SECOND COMMITTEE MEMBER	CURRENT TERM TO EXPIRE	JUNE 6, 2026
THIRD COMMITTEE MEMBER	CURRENT TERM TO EXPIRE	JUNE 1, 2024
FOURTH COMMITTEE MEMBER	CURRENT TERM TO EXPIRE	JUNE 6, 2026
FIFTH COMMITTEE MEMBER	CURRENT TERM TO EXPIRE	JUNE 1, 2024

In keeping with ARTICLE V of the Constitution, all elected officials of the Nation shall be elected by secret ballot. The candidates for each position receiving the highest number of votes at each such election shall be elected to that position.

SECTION 3. SPECIAL ELECTION.

(a) Filling of Vacancies. In accordance with ARTICLE IX Vacancies of the Constitution, Vacancies in any elective office shall be filled at any regular or special meeting of the Seneca-Cayuga Council. In the event that a vacancy in any elective office is to be filled at an annual meeting or special meeting of the

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General Council the election date of such candidate so elected to fill the remainder of an unexpired term, shall have no effect on the beginning or ending date of the term of any office. Vacancies may occur in the event of death, resignation, and removal from office pursuant to Grievance Ordinance.

1. In keeping with ARTICLE IX Vacancies of the Constitution, within thirty (30) days from the date a vacancy occurs, either by death, resignation or removal from office, the remaining members shall issue a Declaration by resolution of the Business Committee that an elected position in the Business Committee or Grievance Committee is vacant due to death, resignation, or removal of an elected official, a Special Meeting of the General Council shall be called by the Chief for the purpose of the conduct of an election to fill the position(s) that have been declared as vacant by said Business Committee resolution no other business shall be conducted at such Special General Council meeting. The Special Election so called by the Business Committee shall be conducted by the Election Administrator no later than ninety (90) days after the date of the resolution of the Business Committee and in accordance with this Election Ordinance. The Special Election Notice issued by the Election Administrator through the Election Committee shall specify the address and deadline for the filing of candidacy. The Special Election Notice shall also announce that the Special Election will be conducted at the Special Meeting of the General Council called for the conduct of the Special Election and shall be mailed to all members of the Nation eighteen years of age or older whose name is listed on the Eligible Voter List prepared by the Enrollment Officer on the date set for the Special Election and published no later than 75 days before the date set for the Special Election.

2. The special meeting of the General Council so called shall be held at the Nation's Community Center Building located at the Bassett Grove Stomp Grounds 24805 South 660 Road, Grove, Oklahoma unless, some other point under the Seneca-Cayuga Nation jurisdiction is specifically designated in the call.

SECTION 4. DUTIES OF THE ENROLLMENT COMMITTEE.

(a) By no later than the second Tuesday in January of each year of a scheduled regular election of the Nation's officials the Business Committee shall by resolution notify the chairperson of the Enrollment Committee to convene a meeting to be conducted in accordance with ARTICLE X B Access to Records, of the Nation's Enrollment Ordinance and inform the members that an election of the officials of the Nation shall be conducted at the annual meeting of the General Council.

(b) By no later than the fourth Tuesday in January of each year of a scheduled regular election so set by the Business Committee the Enrollment Committee shall direct the Enrollment Officer to prepare an alphabetized list of all the individual members of the Nation that are or will be 18 years of age and older on the date of the scheduled election. The list shall contain for each member of the Nation the full name to include the maiden name; roll number; date of birth; residence address; mailing address; and voter registration number of each member and which shall be titled Eligible Voter List and shall reflect the date on which the scheduled election is to be conducted.

(1) The Eligible Voter List prepared by the Enrollment Officer shall be subdivided into three (3) parts:

Subpart 1 shall be titled Registered Resident Voter List and shall consist of an alphabetized list containing the full name to include the maiden name; roll number; date of birth; residence address; mailing address; and voter registration number of each member that has previously filed a Voter Registration Form to the Enrollment Committee and has an enrollment residence address that is within a 50 mile commutable radius of the Nation's headquarters office 23701 S 655 Road Grove, OK.

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Subpart 2 shall be titled Registered Non-Resident Voter List and shall consist of an alphabetized list containing the full name to include the maiden name; roll number; date of birth; residence address; mailing address; and voter registration number of each member that has previously filed a Voter Registration Form to the Enrollment Committee and has an enrollment residence address that is not within a 50 mile commutable radius of the Nation's headquarters office 23701 S 655 Road Grove, OK.

Subpart 3 shall be titled Non Registered Voter List and shall consist of an alphabetized list containing the full name to include the maiden name; roll number; date of birth; residence address; and mailing address of each member that has not previously filed a Voter Registration Form to the Enrollment Committee.

The Enrollment Officer shall provide a copy of the Eligible Voter List to the Election Administrator upon its completion.

(c) The Enrollment Committee is to develop a Voter Registration Form to be mailed by the Election Administrator with the Election Notice, to each member of the Nation whose name appears on the Eligible Voter List which must be returned to the Enrollment Officer no later than 90 days prior to the date set for the election. The Voter Registration Form shall contain sufficient information to verify that the member is listed on the Eligible Voter List. The Voter Registration Form shall be utilized by the Enrollment Officer to update each member's enrollment record to reflect the member is a registered voter of the Seneca-Cayuga Nation and as such each individual member shall be assigned a voter registration number, and the individual members voting status as to Resident Voter or Non-Resident Voter.

The Enrollment Officer shall provide a copy of the Voter Registration Form to the Election Administrator upon its completion.

(d) By no later than 120 days of a scheduled regular election of the Nation's Officials or as soon as practicable prior to an election, the Election Administrator shall mail an Election Notice along with the Voter Registration Form provided by the Enrollment Committee to each member of the Nation whose name is contained on the Eligible Voter List notifying all persons that have not previously registered to vote that desire to vote in the upcoming election of the officials of the Seneca-Cayuga Nation must complete and return a Voter Registration Form to the Enrollment Officer registering to vote and shall elect to vote at the Polling Place or to vote by Absentee Ballot no later than ninety (90) days before the date set for any given election. The members of the Nation 18 years of age and older shall be required to register to vote only one-time, once a member has registered to vote they shall remain registered voters.

The members of the Nation 18 years of age and older that have previously filed a Voter Registration Form shall be notified that they should only complete and submit a Voter Registration Form to change their residence address or mailing address; or their election to vote at the Polling Place or to vote by Absentee Ballot.

All Voter Registration Forms must be received in the Nation Post Office Box 453220 Grove, Ok 74345 Attention: Enrollment Officer no later than 11:00 a.m. on the 90th day prior to the date set for any given election.

(e) The Enrollment Officer shall determine each individual members voting status based upon the Near Reservation geographic service area designated by the Assistant Secretary-Indian Affairs for the Nation, which is defined as where financial assistance and social services programs are provided as follows: Financial assistance and social services programs are to be provided to the enrolled members

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of the Nation that reside within the Nation's former reservation boundary and extend to the enrolled members of the Nation that reside within a fifty (50) mile commutable radius of the Nation's headquarters office located in Grove, Ok. Therefore, all enrolled members of the General Council with a residence address within a 50 mile commutable radius of the Nation's headquarters office located in Grove, OK shall be established as Resident Voters and those with a residence address located outside of said fifty (50) mile commutable radius of the Nation's headquarters office shall be established as Non-Resident Voters. The members of the Nation that returned their Voter Registration Form to the Enrollment Officer within the required timeframe as established by the Enrollment Committee prior to the date set for the election shall be placed on the Registered Voter List which shall be prepared by the Enrollment Officer. The Registered Voter List prepared by the Enrollment Officer shall be subdivided into two (2) parts.

(1) Subpart 1 shall be titled Registered Resident Voter List and shall consist of an alphabetized list containing the full name to include the maiden name; roll number; date of birth; residence address; mailing address; and voter registration number of each member who has an enrollment residence address that is within a fifty mile commutable radius of the Nation's headquarters office 23701 S 655 Road Grove, OK.

The first two digits of any new Voter Registration Number's assigned shall be alpha characters RV, followed by a six digit sequential numeric number and the last digit shall be and alpha character to be determined based upon the voter's election as to the method chosen to cast their ballot. If the registered voter elected to cast their ballot at the polling place, the alpha character to be assigned shall be "P". If the registered voter elected to cast their ballot by absentee ballot, the alpha character to be assigned shall be "A".

(2) Subpart 2 shall be titled Registered Non-Resident Voter List and shall consist of an alphabetized list containing the full name to include the maiden name; assigned voter registration number; roll number; date of birth; residence address; mailing address; and voter registration number of each member who has an enrollment residence address that is not within a fifty mile commutable radius of the Nation's headquarters office 23701 S 655 Road Grove, OK.

The first two digits of any new Voter Registration Number's assigned shall be alpha characters NV, followed by a six digit sequential numeric number and the last digit shall be and alpha character to be determined based upon the voter's election as to the method chosen to cast their ballot. If the registered voter elected to cast their ballot at the polling place, the alpha character to be assigned shall be "P". If the registered voter elected to cast their ballot by absentee ballot, the alpha character to be assigned shall be "A".

(3) The total number of all the members that have returned their Voter Registration Form and those who previously registered shall constitute the Registered Voter List to cast their ballot in the scheduled election. **The Enrollment Officer shall provide a copy of the Registered Voter List to the Election Administrator upon its completion which shall be used only for the purposes of carrying out delegated responsibilities pursuant to this Election Ordinance. Said Registered Voter List shall be held as confidential and not be shared with any other party.**

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ARTICLE IX - ELECTION PROCEDURES

SECTION 1. COMMITTEE POSITIONS TO BE ELECTED

The Secretary-Treasurer of the Nation shall maintain a record of all elected officials, committees, and their respective members to include the official title of each elected office and its beginning and ending term. The Secretary-Treasurer shall record the names, addresses, titles and or position designation of each member of each Committee and the date that each member was elected.

The Nation's Secretary-Treasurer shall notify the Nation's Chief, the Election Administrator engaged by the Business Committee and the Election Committee of the positions required to appear on the ballot prior to the date specified for the mailing of the Election Notice.

In accordance with Article VIII of the Constitution of the Seneca-Cayuga Nation as amended April 14, 2023, the regular election of the Business Committee positions to be contested on June 1, 2024, and the terms of office shall be:

CHIEF	TERM TO BEGIN JUNE 1, 2024, AND END JUNE 3, 2028
FIRST COUNCILPERSON	TERM TO BEGIN JUNE 1, 2024, AND END JUNE 3, 2028
THIRD COUNCILPERSON	TERM TO BEGIN JUNE 1, 2024, AND END JUNE 3, 2028

In keeping with Article VIII of the Constitution of the Seneca-Cayuga Nation as amended April 14, 2023, the regular election of the Grievance Committee positions to be contested on June 1, 2024, and the terms of office shall be:

FIRST COMMITTEE MEMBER	TERM TO BEGIN JUNE 1, 2024, AND END JUNE 3, 2028
THIRD COMMITTEE MEMBER	TERM TO BEGIN JUNE 1, 2024, AND END JUNE 3, 2028
FIFTH COMMITTEE MEMBER	TERM TO BEGIN JUNE 1, 2024, AND END JUNE 3, 2028

SECTION 2. POLLING PLACE

The polling place shall be held at the Nation Community Building located at the Bassett Grove Stomp Grounds 24805 South 660 Road, Grove, Oklahoma for each Election, unless otherwise specified in the call for the Election. The Election Administrator shall ensure that the Polling Place is staffed by at least two (2) polling officials at all times during the polling period. The voting hours shall be 8:00 a.m. to 1:00 p.m. The agenda for the regular annual General Council meeting to be conducted on June 1, 2024, shall state that the casting of ballots at the Polling Place shall be in person and the hours shall be 8:00 a.m. to 1:00 p.m.

Any enrolled member of the Nation that is 18 years of age and older on June 1, 2024, that has not previously completed and returned a Voter Registration Form will be permitted to register and cast their ballot at the polling place on the day of the election.

SECTION 3. VOTER REGISTRATION AND VOTING

By no later than 120 days (February 2, 2024), of the scheduled June 1, 2024 regular election of the Nation's elected officials or as soon as practicable prior to the election, the Election Administrator shall mail an Election Notice along with the Voter Registration Form provided by the Enrollment Committee to each member of the Nation whose name is contained on the Eligible Voter List notifying all persons that have not previously registered to vote desiring to vote in the election of the officials of the Seneca-Cayuga Nation must complete and return a Voter Registration Form to the Enrollment Committee Attention: Enrollment Officer, Post Office Box 452387, Grove, OK 74345 registering to vote and shall elect to vote at the Polling Place or to vote by Absentee Ballot no later than ninety (90) days (March 3, 2024) before the date set for the June 1, 2024 regular election. The members of the

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Nation 18 years of age and older shall be required to register to vote only one-time, once a member has registered to vote they shall remain registered voters.

The members of the Nation 18 years of age and older that have previously filed a Voter Registration Form are to be notified that they should only complete and submit a Voter Registration Form to change their residence address or mailing address; or their election to vote at the Polling Place or to vote by Absentee Ballot.

A Registered Voter who has requested and has been mailed an Absentee Ballot for a particular election shall be permitted to vote at the poll for such election, only if the Absentee Ballot has not been received by the Election Administrator.

(a) The Election Administrator shall update the Registered Voter List prepared by the Enrollment Committee to record the date the Absentee Ballot requests were made, the date the Absentee Ballot Packets were mailed, and the address the packets were mailed to. Any individual requesting an absentee ballot prior to the deadline and that for any reason was not mailed an Absentee Ballot Packet shall be notified by return mail of the reason(s) why and informed as to their eligibility or non-eligibility to vote in person at the polling place on June 1, 2024. The Election Administrator shall cause to have stamped the words "ISSUED ABSENTEE BALLOT" in the signature space beside each voter's name contained on the Registered Voter List that requested and was mailed an Absentee Ballot Packet. Absentee ballots will be counted first at the polling place on June 1, 2024.

(b) The Election Administrator shall update the Registered Voter List prepared by the Enrollment Officer of those that have registered to vote at the Polling Place on June 1, 2024, and shall cause to have stamped the words "Vote at the polling place" in the signature space beside each voter's name contained on the Registered Voter List that requested to vote at the polling place on June 1, 2024.

Any Voter Registration Form received directly by the Election Administrator during this period must be provided to the Seneca-Cayuga Nation Enrollment Committee Attention: Enrollment Officer within five (5) days of the receipt by the Election Administrator.

SECTION 4. ELECTION NOTICE

The Election Administrator through the Election Committee shall publish the Regular Election Notice no later than March 1, 2024, ninety (90) calendar days prior to the June 1, 2024, regular election.

The Election Notice shall include, but not be limited to the following:

- (a) The date of the Election.
- (b) Position(s), by Committee, to be elected, if any.
- (c) The term of office of each position.
- (d) The qualification for candidacy for each office being contested in the election.
- (e) The location, calendar dates and times for the filing of Declarations of Candidacy period, which shall be on March 11th and 12th, 2024, 10 calendar days from the March 1, 2024, publication of the Election Notice.
- (f) The documentary evidence to prove the qualification of officials for candidacy and filing fee requirements for each office contested in the election.
- (g) The Polling Place for the Election Day in accordance with Section 2 of this Article.
- (h) The Election Notice shall also include the pertinent information regarding the Ballot Process.
- (i) Shall notify the members of the Nation that in order to be counted, all absentee ballots must be received by return mail no later than 5:00 p.m. on the Friday May 31, 2024, prior to the date set for the

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election to the Election Administrator's post office box. No hand carried absentee ballots shall be accepted.

The Election Committee shall cause the Election Notice to be published in the Miami News Record, the Grove Sun newspaper, and the Seneca-Cayuga Nation Special Edition Newsletter. The Election Committee shall cause the Election Notice to be posted in such places as the Nation's Headquarters Building, the Nation's Community Center Building, the Nation's Human Resources Building, the Nation's Tobacco Company Building, the Nation's Casino Building and the Bureau of Indian Affairs Miami Agency Building. **The Election Committee shall provide a copy of the Election Notice to the Deputy Director of Governmental Operations upon the posting at the Nation's Headquarters Building to be included in the Special Edition Newsletter prepared by the Deputy Director of Governmental Operations in accordance with Section 5 of this Article.**

SECTION 5. SPECIAL EDITION NOTICE OF ELECTION NEWSLETTER

Upon the Election Committee posting of the list of the qualified candidates on the Nation website and at the Nations Headquarters Building pursuant to Section 9 or 10, if necessary, of this Article the Nation's Deputy Director of Governmental Operations shall ensure that the Special Edition Notice of Election Newsletter is prepared, and which shall contain the Election Notice provided by the Election Committee in accordance with Section 4 of this Article. Each qualified candidate for office shall be allowed to submit for publication in the newsletter a one-page biography and/or political platform letter. Qualified candidates may also submit a picture for publication. Candidate's letters shall be listed according to the official list of candidates posted by the Election Committee pursuant to Section 9 or 10, if necessary of this Article. **The Deputy Director of Governmental Operations shall ensure the Special Edition Notice of Election Newsletter shall be mailed to every member of the Nation 18 years of age and older on the day of the election with an address listed on the Registered Voter Mailing List which shall be provided to the Deputy Director by the Election Administrator in accordance with Section 10(c) of this Article.**

SECTION 6. DECLARATION OF CANDIDACY - FILING PERIOD

The date for the filing of Declarations of Candidacy for the regular election of the Business Committee and Grievance Committee positions to be contested on June 1, 2024, shall be March 11th and 12th, 2024, from 8:00 a.m. until 4:00 p.m.

In keeping with Article II Qualifications of Officers, of the By-Laws to the Constitution of the Seneca-Cayuga Nation, a prospective candidate for elective office of the Seneca-Cayuga Nation must meet all of the requirements as follows:

- (1) Shall be not less than 25 years of age,
- (2) A member of the Seneca-Cayuga Nation and
- (3) Reside within a radius of 150 miles in any direction from Bassett Grove Stomp grounds, 24805 South 660 Road, Grove, OK.

Any qualified member of the Seneca-Cayuga Nation who desires his/her name to be placed on the ballot as a candidate for office shall file a Declaration of Candidacy with the Election Committee at the Career Center Building #23721 interview room located at the Seneca-Cayuga Nation Headquarters Complex 23701 S. 655 Road Grove, Oklahoma in the form prescribed by the Election Administrator. The Burden of Proof shall be on the candidate to present evidence that the candidate meets the qualifications of elected officials. The form prescribed by the Election Administrator shall require prospective candidates to present sufficient documentary evidence that the requirements set forth within Section 8 QUALIFICATIONS OF ELECTED OFFICIALS of this Article are met. Such required documentary evidence will consist of:

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(a) The Candidate's Seneca-Cayuga Nation Membership Card to verify the Candidate is not less than twenty-five (25) years of age, to verify the Candidate's membership in the Seneca-Cayuga Nation, and a copy of a recent utility bill with the candidate's name on it to verify that the Candidate resides within a radius of one hundred fifty (150) miles in any direction from the Bassett Grove Stomp Grounds.

(b) The Declaration of Candidacy must be filed in writing and in person with the Election Committee at the time and manner specified above. In the event that a Special Election is called by the Business Committee pursuant to ARTICLE VIII, Section 3 of this Ordinance, the election notice shall specify the address and deadline for filing. No person shall be a candidate for more than one (1) office at any time.

SECTION 7. FILING FEE

There shall be a non-refundable filing fee of One Hundred Dollars (\$100.00) for the Business Committee positions and for the Grievance Committee positions. Filing fees will be paid by cashier's check or money order only. The filing fee shall be paid on the same date the prospective candidate submits his/her declaration of candidacy. The filing fee shall be deposited into the Nation's Tribal Operations Account to defray the expenses incurred during the election. Upon submission of the Declaration of Candidacy and payment of the required filing fee, candidates shall not be allowed to withdraw from the election or file for a different elected position.

SECTION 8. QUALIFICATIONS OF ELECTED OFFICIALS

(a) In keeping with Article II Qualifications of Officers, of the By-Laws to the Constitution of the Seneca-Cayuga Nation, a prospective candidate for elective office of the Seneca-Cayuga Nation must meet all of the requirements as follows:

- (1) Shall be not less than 25 years of age,
- (2) A member of the Seneca-Cayuga Nation and
- (3) Reside within a radius of 150 miles in any direction from Bassett Grove Stomp grounds.

At the close of the filing period, the Election Committee shall verify the qualification of the candidates who have filed their Declarations of Candidacy with the Enrollment Officer who shall verify and attest to the fact that each filing candidate is not less than twenty-five (25) years of age, is a member of the Nation and resides within a radius of one hundred fifty (150) miles in any direction from the Bassett Grove Stomp Grounds 24805 South 660 Road, Grove, Oklahoma. However, in determining if the candidate "is a member of the Nation," the Election Committee shall not attempt to redetermine the candidates eligibility for membership but shall only verify said candidate is a current member of the Seneca-Cayuga Nation.

SECTION 9. VERIFICATION OF THE QUALIFICATIONS OF CANDIDATES

By no later than the end of the first business day following the close of the filing period set forth within Section 6 of this Article, the Election Committee shall meet with the Enrollment Officer to review all filings for the elected offices to verify that the prospective candidates meet the qualifications set forth in Section 6 of this Article. The Enrollment Officer shall attest to as if each prospective candidate for elective office of the Seneca-Cayuga Nation meets all of the requirements contained within Section 6 of this Article.

If the Enrollment Officer does attest that each prospective candidate for elective office of the Seneca-Cayuga Nation meets all of the requirements contained within Section 8 of this Article the Election Committee shall immediately cause to have posted a list of the qualified candidates on the Nation website and at the Nations Headquarters Building #23731. The Election Committee shall

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promptly notify the candidates by telephone, and or email.

If the Enrollment Officer cannot attest to the Election Committee that a prospective candidate meets all of the requirements contained within Section 8 of this Article, the Election Committee shall immediately notify that person via telephone and or email of the finding and request the specific additional documentary evidence that is required to verify that the prospective candidate meets the requirements contained within Section 8 of this Article.

Upon receipt of notice from the Election Committee request for the additional evidence to verify the candidate's qualification to hold elective office of the Nation, the prospective candidate shall be given two business days to provide the specific additional documentary evidence required to establish their qualification. Failure of the prospective candidate to provide said requested documentation by said deadline shall result in the person's name not being included on the ballots.

The Election Committee shall make its final verification regarding qualified candidates no later than one business day following receipt of the requested candidate documentation. All such contested verifications of the Election Committee shall be made during an open meeting called by the Election Committee Chairman and with a majority vote of a quorum of the committee members being present. If the Election Committee's finding is that a candidate has not provided the required evidence to prove the qualifications of elected officials has been met, the candidate shall be disqualified from participation and their name shall not be placed on the list of qualified candidates and their name shall not be placed on the ballot.

SECTION 10. APPEAL OF ELECTION COMMITTEE DECISION

The Election Committee's decision may only be appealed to the Business Committee. Such must be done in writing by the disqualified candidate within one business day following the finding of the Election Committee. Within two (2) days upon receipt of a written appeal, the Business Committee shall hold an open hearing to consider the appeal. The hearing shall be conducted by a quorum of Business Committee members being present with prior notice to all parties and shall render a decision on the appeal by majority vote prior to the meeting being adjourned. The Business Committee may only consider the evidence provided by the prospective candidate at the time of the filing of the candidacy and any additional evidence requested by the Election Committee and which was returned to the Election Committee within the required time frame.

(a) All such appeals to the Business Committee are final on behalf of the Nation and are not subject to appeal or other review. Business Committee members that have a personal interest in the specific office subject of appeal; that are immediate family of appellant and/or incumbent; or outcome of the appeal must abstain from voting on the decision.

(b) Immediately following the meeting of the Business Committee to decide on the appeal filed by a candidate for elected office, the Election Committee shall post a list of qualified candidates on the Nation website and at the Nation's Headquarters Building. The Election Committee shall promptly notify the candidates via telephone and or email and regular mail.

(c) All Qualified Candidates shall receive a copy of the Registered Voter Mailing List. The Election Administrator shall see that every Qualified Candidate for office shall receive a copy of the Registered Voter Mailing List at the time of filing for elective office. The Registered Voter Mailing List thus provided, shall not contain the name of the member listed on the Registered Voter List, but shall read "Tribal Member" and the mailing address of each member listed on the Registered Voter List. **The Election Administrator shall provide a copy of the Registered Voter Mailing List to the Deputy Director of Governmental Operations upon its completion.**

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ARTICLE X - VOTING PROCEDURES

Only those members on the Registered Voter List who have elected to vote at the Polling Place within the submitted Voter Registration Form in accordance with ARTICLE VIII Section 4(d) of this ordinance shall be allowed to vote at the Polling Place. Provided however, an enrolled member of the Nation that is 18 years of age and older on June 1, 2024, that has not previously completed and returned a Voter Registration Form will be permitted to register and cast their ballot at the Polling Place on the day of the election.

Only those members on the Registered Voter List who have elected to vote by Absentee Ballot within the submitted Voter Registration Form in accordance with ARTICLE VIII Section 4(d) of this ordinance shall be allowed to vote by Absentee Ballot. All Absentee Ballots must be received in the election post office box so designated by the Election Administrator by the date specified in order to be counted on the date set for the Nation's Elections.

(a) The Election Administrator shall update the Registered Voter List prepared by the Enrollment Officer of those that have registered to vote at the Polling Place on the date of the scheduled election and shall cause to have stamped the words "Vote at the Polling Place" before the signature space provided beside each voter's name contained on the Registered Voter List that requested to vote at the Polling Place on June 1, 2024.

(b) The Election Administrator shall update the Registered Voter List prepared by the Enrollment Officer of those that have registered to vote by Absentee Ballot on the date of the scheduled election and shall cause to have stamped the words "Absentee Ballot Requested" before the signature space provided beside each name contained on the Registered Voter List that registered to vote by Absentee Ballot.

(1) The Election Administrator shall update the Registered Voter List prepared by the Enrollment Committee to record the date the Absentee Ballot Packets were mailed, and the address the packets were mailed to. Any individual requesting an absentee ballot prior to the deadline and that for any reason was not mailed an Absentee Ballot Packet shall be notified by return mail of the reason(s) why and informed as to their eligibility or non-eligibility to vote in person at the polling place on the scheduled Election Day. The Election Administrator shall cause to have stamped the words "ISSUED ABSENTEE BALLOT" in the signature space provided beside each eligible voter's name on the Registered Voter List that requested and was mailed an Absentee Ballot Packet. Absentee ballots will be counted first at the Polling Place on the Election Day.

(2) Any registered voter who has requested and has been mailed an Absentee Ballot for a particular election shall be permitted to vote at the poll for such election, only if the Absentee Ballot has not been received by the Election Administrator.

(c) Absentee Ballot Packets shall include:

- (1) Election Notice
- (2) Ballot Instructions for filling out and date for returning of Ballot
- (3) Pre-addressed, stamped envelopes to be returned to Election Administrator.

Only those members on the Registered Voter List who have requested an Absentee Ballot within the submitted Voter Registration Form in accordance with ARTICLE VIII Section 4(d) of this ordinance shall be allowed to vote by Absentee Ballot. All Absentee Ballots must be received in the post office box so designated by the Election Administrator by the date specified in order to be counted on the date set for the Nation's Elections.

(d) If a person is inadvertently left off the Registered Voter List and does not receive an Absentee

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Ballot, after submitting a Voter Registration Form electing to vote by Absentee Ballot such person can present evidence to the Enrollment Officer, in writing, of their eligibility to vote, full name, date of birth, Nation roll number, phone number and resident and mailing address. The Enrollment Officer shall then confirm the member is eighteen years of age or older on the day of the election, will then manually add the individuals full name and the supplied information to the Registered Voter List, and notify the Election Administrator to mail such individual an Absentee Ballot Packet.

(e) Upon the receipt of a Voter Registration Form from a member electing to vote by Absentee Ballot, if the Registered Voters List does not contain an address for a member, the member will not be mailed an Absentee Ballot Packet. If the member who was not mailed a ballot packet due to no address subsequently requests an Absentee Ballot, the member must provide a written request for a Ballot Packet to the Nation's Enrollment Officer with their full name, a mailing address, Nation roll number and phone number. The Enrollment Officer will then immediately forward the written request (information included) to the Election Administrator.

SECTION 3. BALLOT BOXES, ELECTRONIC TABULATORS AND/OR LAPTOP COMPUTERS

There shall be no less than two (2) Electronic Tabulators provided by the Election Administrator for use during the election: one (1) for absentee ballots, and one (1) at the polling place. Said Electronic Tabulator Machines shall be constructed of substantial material, and each shall be equipped for the security of ballots by the Election Administrator.

Electronic Tabulation software, Scanners and Laptop Computers: The Election Administrator shall provide sufficient Electronic Tabulation software, Scanners and Laptop Computers to conduct the counting and auditing of returned Absentee Ballots and the votes cast at the polling place on the date of the election pursuant to ARTICLE IX SECTION 2. POLLING PLACE of this Ordinance.

(a) Said Electronic Tabulation software, Scanners & Laptop Computers shall provide clear and auditable tabulation capability that can be demonstrated as accurate by the Election Administrator.

(b) Keys to Ballot Box Locks and Electronic Tabulators: Keys and locks to be placed on the ballot boxes shall be furnished by and maintained only by the Election Administrator during the election and voting period. Any keys for the Electronic Tabulators used shall be furnished by and maintained only by the Election Administrator during the election and voting period.

Ballot Boxes: Absentee Ballots will be picked up the day of the election at 9:00 A.M. The Election Administrator shall open the ballot boxes and show them to be empty of all materials in front of two (2) Election Committee Members. The Post Office Box is then opened, and all returned absentee ballots are placed in the ballot boxes, the ballot boxes locked and sealed for transport to the Polling Place designated pursuant to ARTICLE IX SECTION 2. POLLING PLACE of this Ordinance.

(c) Upon arrival at the Polling Place the Election Administrator shall unlock and empty the ballot boxes in the presence of not less than two (2) Election Committee Members. The emptied ballot boxes shall then be re-closed and re-locked in the presence of the two (2) Election Committee Members. All envelopes containing returned absentee ballots will then be checked to determine if the envelope contains the required elements in order that the ballot is to be counted. Only one (1) ballot shall be allowed per envelope. The Election Administrator shall proceed to verify that the name contained on

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each pre-addressed and stamped outer envelope is contained on the Registered Voter List of persons who were mailed absentee ballots pursuant to Article IX Section 3(a) VOTER REGISTRATION AND VOTING of this Ordinance. If the name contained on the outer envelope is contained on the list of persons who requested and were mailed an Absentee Ballot Packet and marked as Absentee Ballot Mailed next to their name on the Registered Voters List, the sealed outer envelope will be removed and the inner envelope containing the ballot will then be placed back into the locked ballot box. Once the voter eligibility verification process has been completed, the Election Administrator shall proceed to the counting of the ballots. At the polling place on Election Day absentee ballots shall be counted first.

(d) Election Records and Ballot Boxes: After each election, all election records and ballots shall be placed in locked ballot boxes and stored at Tribal Headquarters by the Election Administrator in a secure location. No later than the following day after the election results are certified and posted the ballot boxes and all materials used in the election shall be delivered to the Seneca-Cayuga Nation 2nd Chief and placed in the Secretary-Treasurer office and shall be maintained as a permanent record of the Seneca-Cayuga Nation. Ballots shall only be held for three (3) months after the election results are certified; thereafter, the 2nd Chief of the Nation shall cause them to be destroyed.

SECTION 4. BALLOTS

(a) Appearance of Candidate's Name: The name of any candidate for office shall be printed on the official ballot as it appears on the Declaration for Candidacy form as filled out by the qualified candidate. Each qualified candidate shall not have any prefix, suffix or title placed before or after his/her name.

(b) Unopposed Candidates: Any candidate who is unopposed in any election shall be deemed to have been elected, and his/her name will not appear on the ballot in any election in which he/she is so unopposed.

(c) Manner of Printing Ballots for Elections: The official ballot for the election shall be printed so that the candidate's name will appear with an appropriate location indicating a voter's choice alongside each candidate's name.

(d) Order of Name on Ballots for Elections: On all election ballots, the names of the candidates for each office shall be listed in alphabetical order according to the candidate's last name.

(e) Number of Ballots: The Election Administrator shall ensure that for every election a sufficient number of ballots shall be printed so that all members contained on the Registered Voter List receive a ballot and a number of additional ballots are available in case of spoiled ballots.

SECTION 5. BALLOT PACKET VOTING PROCEDURES

(a) Mailing of Ballot Packets: The Election Administrator shall mail an Absentee Ballot Packet to each eligible voter listed on the Registered Voter List that has requested to vote by Absentee Ballot not less than 30 days prior to the date set for an election.

(b) Registered Voter List Obtained: Pursuant to Article IX Section 3 of this Ordinance, the Enrollment Officer shall provide a copy of the Registered Voter List to the Election Administrator upon its completion which shall be used only for the purposes of carrying out each of the delegated responsibilities pursuant to this Election Ordinance. Said Registered Voter List shall be held as confidential and not be shared with any other party. The Election Administrator shall utilize the Registered Voter List to determine each eligible voter that has requested to vote by absentee ballot in

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accordance with ARTICLE IX Section 3(a) of this Ordinance.

(1) The Election Administrator shall utilize the Registered Voter List to complete the mailing of the Absentee Ballot Packets to all eligible voters who elected to vote by absentee ballot in accordance with Article IX Section 3(a) of this Ordinance. Ballot Packets must be mailed not less than 30 days prior to Election Day.

(2) Upon return of any ballot packet to the Election Administrator as undeliverable, the Election Administrator shall verify the mailing address is the same address shown on the Registered Voter List. If the address is incorrect then the Election Administrator will mail the ballot packet to the corrected address. If the address is correct, the Election Administrator shall use his best efforts to mail the ballot to the eligible voter based on corrected information so provided by the US Postal Service.

(c) Ballot Packet Instructions: All absentee ballot voters shall be notified that in order to be counted, all ballots must be received by return mail no later than 5:00 p.m. on the Friday prior to the "The Election Day". No hand carried ballots shall be accepted, it is required that the official envelope assigned to the Nation Member by the Election Administrator be used, otherwise ballot will not be counted.

After the ballots are picked up and processed the day of the election, the Election Administrator will cancel all the ballots returned as undeliverable and in his/her possession. The Election Administrator will open the ballot mailing and write, "VOID" across the face of the ballot and sign and date the ballot. The voided ballot must be retained as part of the election records.

If a ballot is mutilated upon receipt in mail or by the voter, then the voter may return the ballot in its entirety to the Election Administrator and request in writing issuance of a new ballot so long as request is received prior to Election Day. Upon receipt of the mutilated ballot the Election Administrator will sign and date the ballot and write "SPOILED- Replaced by Ballot No." and write the number of the replacement ballot in the blank space. The spoiled ballot shall be retained as part of the election records. The Election Administrator will then issue the proper replacement ballot to the voter.

(d) Records/Receipt of Ballot Packets: The Election Administrator shall keep a record of the name of the voter, date, and address and when the ballot packets were mailed, in addition to the complete ballot packet envelope and store such materials in accordance with the requirements for storage and preservation of ballots and information contained herein. Election Administrator shall also record if an individual requested a ballot packet and record if individual was a voter or not.

Beside each voter's name, Election Administrator shall cause to have the words "BALLOT RECEIVED" beside each voter's name in which the ballot was received back in mail.

(e) NO ELECTIONEERING OR LOITERING SHALL BE ALLOWED WITHIN FIVE-HUNDRED FEET OF POLLING PLACE PREMISES. This includes inside or outside the Polling Place premises, during such time as ballots are being counted. The Election Administrator shall request security personnel for assistance as may be required to maintain order about the building during the hours of election. The Business Committee shall cause a misdemeanor complaint to be filed with the Court of Indian Offenses against any such violators (offenders) of this section.

SECTION 6. POLLING PLACE INSTRUCTION TO VOTERS

Instructions to voters describing the manner for castings one's vote shall be posted inside the polling place. Said instructions shall be prescribed by the Election Administrator.

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SECTION 7. POLLING PLACE VOTING BOOTHS

The Election Administrator shall cause at least five (5) voting booths to be provided at the polling place. Said booths shall contain a counter or shelf or some means of writing and shall be constructed in such a manner that personnel of the Election Administrator can determine whether more than one person is in the booth, but in such a manner as to ensure secrecy by the voter in marking his/her ballot.

The following are exceptions to the rule that only one person is allowed in a voting booth:

Physically disabled persons may have assistance in marking a ballot.

Visually disabled persons may have assistance in marking a ballot.

Hearing impaired persons may have assistance in marking a ballot.

In no case shall any type of assistance be provided to a voter by a candidate or their representative.

SECTION 8. METHOD OF VOTING AT THE POLLING PLACE.

Voting procedures will consist of the following:

Secret Balloting. All voting shall be by secret ballot.

Casting Ballots. By the Voter:

The voter will state his/her name to the poll official.

The voter must show identification to the poll official.

The voter's name shall be verified with the Registered Voter List.

The voter shall be required to sign the space on the Registered Voter List next to his/her printed name.

The voter shall then be given the necessary ballot by a poll official, instructed to go directly to a booth, mark the ballot, and then place the ballot in the Electronic Tabulator. Voters must cast their ballot at the time of receipt and shall not be allowed to complete the ballot at any other time.

Spoiled Ballots. If a voter spoils the ballot given to him/her by a polling official, the Election Administrator shall provide procedures for spoiled ballots. The poll official will therefore issue a new ballot to the voter. Spoiled ballots will be preserved for review by the Election Administrator.

Closing of Polls. At the closing of the polls, all persons in line at the closing hour shall be given an opportunity to cast a ballot. No other voters will be allowed to join the line past the closing hour.

ARTICLE XI - COUNTING BALLOTS

SECTION 1. PROCEDURE FOR COUNTING BALLOTS

The Election Administrator and or designated personnel shall deliver at least two (2) Electronic Tabulator Machines to the polling place empty of all material, where the Electronic Tabulator Machines will be closed and locked in the presence of not less than two (2) members of the Election Committee.

(a) **Securing Ballot Boxes:** On the day of election, the Election Administrator shall secure in his or her possession the ballot boxes and shall retire to a private room for counting. The Election Administrator will count the ballots. In addition to the Election Administrator, Election Committee and Election Administrator personnel and such staff support personnel requested by Election

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Administrator pursuant to this Ordinance. The presence of one (1) Observer per candidate as hereafter described will be permitted in the room where the votes are being counted.

(b) Counting Ballots: Upon removing the lock and opening the box, the Election Administrator personnel shall insert each ballot into the electronic tabulator for counting, giving due consideration to examining spoiled and replacement ballots.

(c) Rules Governing Counting: The following rules shall govern the counting and recounting of votes:

(1) If the name of any person is handwritten on a ballot, said ballot shall not be counted for any office or question thereon.

(2) The marking of the ballots shall be in accordance with the instructions set out in the ballot packet.

(3) Marks used to designate the intention of the voter, other than those set out in the ballot packet as valid markings shall not be counted.

(4) Failure to properly mark a ballot as to one or more candidates shall not of itself invalidate the entire ballot if the same has been properly marked as to other candidates.

(5) Any ballot or part of a ballot on which it is impossible to determine the voter's choice of question or candidate shall be void as to the question, candidate or candidates thereby affected. If a ballot is not counted for any reason, the reason shall be written on the back of said ballot and signed by the Election Administrator.

(6) A ballot which was placed in the ballot box without being voted upon shall be considered as a mutilated ballot and shall be retained separately from the ballots which have been counted in whole or in part. Such ballots will not be counted.

(7) Each candidate, if desired, may select one (1) person in writing as his/her representative, who is not a candidate or incumbent, to serve as an observer to watch the counting of the ballots. Such designation must be presented to any Member of the Election Committee no later than 1:00 p.m. seven (7) days prior to the day of the Election. Observers are cautioned to minimize conversation, refrain from making favorable comments or exclamations with regard to candidates or Nation matters and know not to question Election Committee and Election Administrator personnel with regard to matters other than the vote counting process. Observers can be ejected for inappropriate behavior or a violation of the foregoing or at the discretion of the Election Administrator.

(8) The Election Administrator personnel shall place each ballot in the Electronic Tabulation scanner(s) for ballot image capture and electronic counting.

(9) The Election Administrator may use any ballot image captured by the Tabulation Software to adjust the Scanner's interpretation of any ballot marking. Should the Election Administrator rule the voter intent to be different than that registered by the Scanner and Tabulation Software on any one ballot, the Election Administrator will correct the Tabulation Software accordingly. Each such adjudication of the counting of any Ballot so captured by the Tabulation Software will be projected for stakeholder observation and be verbally announced by the Election Administrator.

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SECTION 2. TIE VOTES

In the event two (2) or more candidates tie for the same position, the Election Administrator shall conduct a recount of the ballots cast in that election as provided in Section 1 of this Article.

Should there be a tie vote after the recount, a Special Election will be held for the run-off as soon as possible. Date shall be set by Business Committee (not more than 60 days from original Election Day).

SECTION 3. RECOUNT

Recount: In the event that any eligible voter or candidate for Nation Office wishes to request a recount of the voting results of a given elected office position, such eligible voter or qualified candidate must file a written or typed Request for Recount with the Election Committee Chairman no later than 4:30p.m., the Monday following the Regular Election or no later than 4:30P.M. on the first business day following a Special Election, legal holidays excluded. A non-refundable fee of Five Hundred dollars (\$500.00) shall be paid to the Chair of Election Committee by certified check or money order made payable to the Seneca-Cayuga Nation for recount. The recount shall then be conducted in the same manner as the original count and shall be conducted immediately or within twenty-four hours of Request for Recount being filed.

The certified results will be posted in the Seneca-Cayuga Nation's Headquarters office building. The fee shall be paid on the same date the Request for Recount is submitted and said filing fee shall be deposited into the Nation's Tribal Operations Account to defray the expenses incurred during the election.

SECTION 4. CERTIFICATION AND ANNOUNCEMENT OF ELECTION RESULTS

(a) If there are no tie votes nor a Request for Recount received, the Election Committee shall immediately post the unofficial certified voting results at the Polling Place and on the front door of the Seneca-Cayuga Nation's Headquarters Office Building #23731.

(b) By no later than the date of the resolution of a recount the Election Committee shall immediately post the unofficial certified election voting results at the Polling Place and on the front door of the Seneca-Cayuga Nation's Headquarters Office Building #23731.

(c) By no later than the day following the resolution of an election recount, the Election Administrator shall certify and issue an Official Notice of election voting results. The certified results will be posted at the Seneca-Cayuga Nation's Headquarters Office Building #23731.

ARTICLE XII – INSTALLATION OF ELECTED OFFICERS

SECTION 1. PROCEDURE

All duly elected officials of the Seneca-Cayuga Nation shall be sworn into office immediately following the official certification of the election results.

SECTION 2. OATH OF OFFICE

The oath of office shall be administered by the Chief or a Pot Hanger of the Nation.

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ARTICLE XIII – CERTIFICATION OF ENACTMENT

This Election and Voting Ordinance was approved and enacted by the Business Committee of the Seneca-Cayuga Nation at a meeting of the Business Committee conducted on the 12 day of December, 2023, with a vote of 5 for, 0 against, and 1 abstain.

ATTEST:

DocuSigned by:
Kim Guyett
A3AF7429E0FF463
Kim Guyett, Secretary-Treasurer

DocuSigned by:
Charles Diebold
C3CFA653E6404EC...
Chief, Charles Diebold