



INTERIOR BOARD OF INDIAN APPEALS

Lac Courte Oreilles Band of Lake Superior Chippewa Indians v. Midwest Regional
Director, Bureau of Indian Affairs

43 IBIA 247 (08/23/2006)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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LAC COURTE OREILLES BAND OF	:	Order Vacating Decision and
LAKE SUPERIOR CHIPPEWA	:	Remanding
INDIANS,	:	
Appellant,	:	
	:	
v.	:	Docket No. IBIA 06-67-A
	:	
MIDWEST REGIONAL DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee.	:	August 23, 2006

The Lac Courte Oreilles Band of Lake Superior Chippewa Indians (Band) appealed from a March 30, 2006 decision of the Midwest Regional Director, Bureau of Indian Affairs (Regional Director; BIA) concerning eligibility for absentee voting in a Secretarial Election to amend the Constitution and Bylaws of the Band. The Regional Director concluded that absentee balloting for the Secretarial election would be allowed in accordance with 25 C.F.R. §§ 81.6(a)(2) and 81.19. The Band contended that specific limitations on absentee voting in the Band’s Constitution should control.

On August 21, 2006, the Board of Indian Appeals (Board) received from the Regional Director a motion, in which the Band concurs, requesting that the matter be remanded for reconsideration in light of additional information.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Board vacates the Regional Director’s March 30, 2006 decision and remands the matter for reconsideration.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Amy B. Sosin
Acting Administrative Judge