

Date: September 28, 2018

To: Tribal leaders of Native American tribes located in North Dakota

From: North Dakota Secretary of State's office

Re: Helping Native Americans to be able to vote in North Dakota elections

The statewide general election will occur on Tuesday, November 6, 2018, and we are writing to update you regarding how federal, state, local, and tribal governments, entities, and agencies can be of assistance to those individuals who may not have a valid ID for voting or their ID has an old residential address, a mailing address such as a PO Box, or does not have an address at all. Our desire with this communication is to bring us to the point where we will all provide the same information about voting to the people with whom we interact.

The same federal and state laws apply to all qualified electors of North Dakota with the exception that tribal members have more forms of ID and supplemental documents available to them for voting than do other qualified electors. These additional IDs and documents are or can be provided by the organizations you represent.

When an individual appears to vote or to request an absentee or mail ballot, the individual must provide a valid form of ID. One of the valid ID options is a tribal ID issued by a tribal government in ND (including those issued by BIA for a tribe located in North Dakota, any other tribal agency or entity, or any other document that sets forth the tribal member's name, date of birth, and current North Dakota residential address).

If the information on the ID is incorrect, not current, missing, or is a mailing address rather than a residential street address, the information may be updated by providing supplemental documentation that contains the correct information to the election official distributing the ballot. The documents that may be provided are a current utility bill; a current bank statement; a check or a document issued by a federal, state, local, or tribal government (including those issued by BIA for a tribe located in North Dakota, any other tribal agency or entity, or any other document that sets forth the tribal member's name, date of birth, and current North Dakota residential address); or a paycheck.

If an individual does not have an ID at the time he or she appears to vote, they may mark a ballot that is set aside until such time as the individual returns to the poll worker at the polling place on election day or to the County Auditor before the meeting of the County Canvassing Board that always occurs no less than 6 days after the election. This year it will occur on the 7th day because the 6th day is the Veteran's Day holiday.

As representatives of tribal governments or other tribal agencies or entities in North Dakota, you can provide the necessary information you know to be true for the tribal members who look to you for assistance in being able to vote. The IDs and documents you provide are useful to the individuals you serve both before and after an election to help them express their voices through the voting process in our democracy. Our hope is that the individuals who need this assistance will seek it out before the election since that will require them the least amount of effort to vote.

Please encourage voters to visit the Vote.ND.Gov website for the valuable information maintained there. A copy of the Voter ID Requirements poster that pertains to all voters has been included

to make it as simple as possible for each of you to distribute via email, websites, social media, and posting in areas where people gather.

Those who already have a North Dakota driver's license or nondriver's ID, if the address listed is not current, it can be updated at no cost by visiting this [link](#) on the DOT website and follow a few simple steps or by calling the North Dakota Department of Transportation (DOT) at (701) 328-4353. The driver's license or nondriver's ID card does not need to be replaced because these address changes are received daily by our office from DOT and we update the voter's record with this change in the Central Voter File (CVF). This is done to make it as easy as possible for the voter to vote in the precinct associated with their current residential address. (Note: federal law requires those with commercial driver's licenses to appear at a DOT licensing facility to obtain a new license after moving to a new address.)

North Dakota law requires this connection between our office and DOT, but we appreciate the connection because of how it facilitates voting for voters with driver's licenses and nondriver's IDs. As we have done in the past, we again extend the same invitation to a limited connection with your tribal ID databases so that the CVF can be updated each time a tribal member receives or updates their tribal ID. "Limited connection" means that we would only need tribal ID number, name, residential address, and date of birth to properly update the CVF to make it easier for a tribal member to vote with that ID since they wouldn't need to obtain a new tribal ID or provide supplemental documentation. We have no need for the other information maintained in your tribal ID databases. If your tribe would like to consider this, we will gladly visit with your tribal council or whatever group responsible for making the decision.

For tribal members who would like to take advantage of the free nondriver's ID provided by DOT, the licensing facility locations and hours can be found [here](#). Important information from DOT about obtaining one of these IDs is located at this [link](#).

If you encounter anyone who says to you that they do not have a residential street address to provide to either the DOT or the tribal government to obtain an ID, please encourage them to reach out to the 911 Coordinator in the county in which their residence exists to start the simple process to have the address assigned. The North Dakota Association of Counties maintains a list of all 53 [County 911 Coordinators](#). A simple phone call to this individual can start this no charge process that can usually be completed in an hour or less when the individual can describe the location of the home. After the address is assigned, the office assigning it will provide a letter upon request that confirms this new address. This letter can be used either to obtain an ID or as supplemental documentation for voting purposes for those individuals whose ID includes a mailing address rather than a residential address. It is worth noting that in some counties the responsibility of assigning addresses is completed by an office other than the 911 Coordinator; however, the 911 Coordinator will be able to connect the individual to that other office and the process will still be no charge and quick.

The County Auditors, the local election officials, of the state's 53 counties have been included on this communication to ensure we are all on the same page. Since the County Auditor is a member of a local branch of government, they and their staff members can also be of assistance in providing supplemental documentation for those facts they know to be true for an individual. There are resources County Auditors can draw on or connect the individual to from either their own office or another county office to provide supplemental documentation with the needed information that can be verified by the office records.

Working together we can provide access to voting in the precinct of residence for the qualified electors of our state; we can safeguard the integrity of our elections by being certain that those who are elected and the decisions made on ballot questions are decided by those qualified to vote; and we can encourage participation in government whether that be federal, tribal, state, or local.

Thank you in advance for your assistance in helping Native Americans vote.