

October 19, 2004

Honorable Mary Kiffmeyer
180 State Office Building
100 Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Re: Tribal Photo ID Cards

Dear Secretary of State Kiffmeyer:

After reading a newspaper article stating that Tribal photo ID cards issued by federally recognized Tribes in Minnesota will not be an acceptable form of identification for purposes of same-day voter registration in Hennepin County, I felt compelled to write you about this topic of critical importance to the Mille Lacs Band of Ojibwe and, indeed, all Tribes in Minnesota.

As you know, legislation authorizing the use of Tribal photo ID cards for same-day voter registration by Tribal members living on a reservation was enacted in 2002. See Minn. Stat. § 201.061, subd. 3(5). We greatly appreciate the support of you and your staff for this important legislation.

Unfortunately, based upon the newspaper article, there appears to remain a significant issue with regard to facilitating voting by members of the Mille Lacs Band and other Minnesota Tribes who reside not on a reservation but rather in the Twin Cities or elsewhere throughout the state. Approximately half of our Mille Lacs Band members do not live on the Mille Lacs Reservation, with similar or even higher percentages for other Minnesota Tribes. In fact, Minneapolis has one of the highest concentrations of American Indians in the country.

These Tribal members living in the Twin Cities and elsewhere throughout the state will be unable to use their Tribal photo ID's to register at the polls on election day according to the newspaper article. Due to a whole host of factors including the historic poverty that has ensnared American Indian communities, many of our Band members do not have Minnesota Driver's Licenses or other forms of identification approved for same-day registration.

It is my understanding that the Secretary of State has the power to approve other forms of acceptable identification to be used for same-day voter registration. See Minn. Stat. § 201.061, subd. 3(2). On behalf of the Mille Lacs Band, I respectfully request that you use this authority to approve the use of photo ID's issued by federally recognized Tribes in Minnesota for same-day registration by all Tribal members without regard to whether they reside on or off reservation.

I understand that the voter registration process has twin goals that sometimes are at odds - ensuring that all Americans have the opportunity to participate in the democratic process while also ensuring that elections are conducted free of fraud or corruption. In addition, I realize that the election is fast approaching. With these things in mind, I propose that Tribal members living off reservation be allowed to register at the polls on the day of the election if they produce their Tribal photo ID along with a utility bill listing their current address as an additional protection. The process would be very similar to that already in use in Minnesota Rules 8200.5100, subpart 2.

If for any reason you feel that you are unable to approve the use of Tribal photo ID's together with a current utility bill for same-day registration by Tribal members living off reservation this election, I hope that you will wholeheartedly support amending the provision enacted in 2002 to allow for the use of Tribal photo ID's for this purpose by Tribal members living both on and off reservation.

In closing, I appreciate your past efforts to help get Tribal photo ID cards recognized as an acceptable form of identification for purposes of same-day voter registration for our Band members living on reservation and hope that you will work with us to solve the similar problem for our members residing off reservation.

Sincerely,

Melanie Benjamin
Chief Executive