THE CARTER CENTER

The Carter Center Limited Observation Mission to the Cherokee Nation Special Election for Principal Chief

September 24, 2011

Final Report

Waging Peace. Fighting Disease. Building Hope.

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Contents

Executive Summary

This is the final report of the Carter Center's limited observation mission to monitor the Cherokee Nation special election for principal chief during September and October 2011 in Oklahoma. The report summarizes the Center's involvement in this election process.

In June 2011, the Cherokee Nation witnessed an extremely close and hard-fought race for principal chief, with candidates requesting multiple recounts and the Cherokee Nation Supreme Court ultimately ruling that because the results could not be determined with mathematical certainty, a new election had to be called. This dramatic controversy undermined public trust in the integrity of the nation's political and electoral institutions. In addition, the ongoing electoral process coincided with dramatic developments in the nation's ongoing debate regarding the citizenship status of the Freedmen, descendents of freed black slaves of the Cherokee Nation, which eventually attracted involvement from the United States federal court system.

The Center found that the election was run professionally and fairly and is helping to rebuild the confidence of Cherokee citizens.

At the suggestion of the Tribal Council, the Cherokee Nation Election Commission (CNEC) invited The Carter Center to observe the rerun of the June election, which was to take place in September 2011. After consulting with the candidates, Tribal Council members, and the Election Commission, the Center agreed to observe the September election.

The Carter Center's mission had several purposes, including the following:

- ASSESS THE QUALITY OF-ELECTION PROCESSES AND PROcedures and provide recommendations as to how these could be improved;
- INCREASE VOTER CONFIDENCE IN T process by serving as independent observers to the process; and
- DEMONSTRATE SUPPORT FOR THE # efforts to enhance its democratic processes.

The Center sent teams to observe all components of the voting and counting processes. Observer teams were deployed to observe the polling on the early-voting days (Sept. 17, 20, 21, and 22) and election day (Sept. 24), as well as the extra voting days that were subsequently added to the election (Sept. 29 and Oct. 1, 4, 6, and 8). In addition, the Center observed the three days of counting, tabulation, and certification of the election results (Oct. 9, 10, 11, and 12).

The sections that follow detail the Carter Center's observation of early voting, the Sept. 24 election day, the five additional election days, and the counting process. This report also analyzes the legal framework in place for the Cherokee Nation elections, with attention paid primarily to strengths and weaknesses of both the Constitution of the Cherokee Nation and its election code. The Center released public statements on Sept. 27 and Oct. 14 that highlighted the Center's findings and recommendations in regard to the Sept. 24 election day, the extra voting days, and the counting process.

Throughout its observation, the Center noted the CNEC's work was strained by a series of last-minute court rulings from a federal judge and the Cherokee Nation Supreme Court, which alternately disqualified and qualified Freedmen voters from participation in the election. Despite these complications, the Center observed that the CNEC managed the election in an

inclusive manner that was in accordance with both the law and with professional standards for election administration. The Center found that the election was run professionally and fairly and, despite the challenging circumstances, is helping to rebuild the confidence of Cherokee citizens in the integrity of their institutions.

After concluding observation efforts, The Carter Center recommended the need for:

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The Carter Center in the Cherokee Nation

In addition to observing the 2011 special election for principal chief, The Carter Center previously observed the 1999 elections for principal chief, deputy chief, and 15 Tribal Council representatives for the Cherokee Nation.

The 1999 Mission

In May 1999, following a constitutional crisis and the involvement of the Bureau of Indian Affairs (BIA) in the Cherokee Nation's dealings, the Cherokee Nation Election Commission (CNEC) invited The Carter Center to observe the elections for principal chief, deputy chief, and 15 Tribal Council representatives. The period leading up to the elections was marked by a high level of suspicion and lack of confidence that the elections would be transparent. The CNEC hoped that the presence of an observation delegation from The Carter Center would facilitate a credible process, calm the atmosphere surrounding the elections, and encourage all sides to accept the results if the process was ultimately deemed fair and legitimate.

This 1999 mission marked the Center's first comprehensive election observation mission within the United States. The Center sent 10 observers to monitor the election and the subsequent runoff on July 24, 1999, and concluded that the elections were conducted in accordance with the law and with professional standards. The Carter Center offered several recommendations to the nation regarding how it could improve its electoral processes in the future. The key recommendations included:

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The June 25 Election and Aftermath

Voting Rights of Freedmen and the September 2011 Election

Prior to the arrival of Europeans, the Cherokee people traditionally enslaved prisoners of war; but "slave" status generally was temporary, with slaves eventually being given their freedom. During the colonial period, however, the Cherokee began to adopt a version of slavery in line with that of their southern white counterparts. In 1836, when members of the Cherokee Nation were forcibly removed to Oklahoma on the Trail of Tears, their slaves were removed along with them.

In 1866, as part of the Reconstruction era policy to reintegrate the defeated Confederate states into the Union, a treaty was signed between the federal government and the Cherokee Nation forcing the Cherokee to ban slavery permanently. The treaty also gave former slaves the same rights as those held by their former Cherokee owners. This often is interpreted as granting the freed slaves citizenship in the Cherokee Nation.

The 1866 treaty also gave former slaves the same rights as those held by their former Cherokee owners.

At the end of the 19th century, the federal government established the Dawes Commission to draw up rolls of membership for the "civilized tribes" in Oklahoma for the purposes of dividing land into individual plots. These rolls were inconsistent with regard to the Freedmen; in some cases anyone who Dawes Commission officials thought was of African descent was listed as a Freedman, even if the individual actually had Cherokee blood as well. The Dawes Commission rolls also introduced the concept of "blood quantum," according to which full-blooded Cherokee and those who had intermarried with whites also had detailed their fraction of Cherokee blood. Freedmen, whether or not they had Cherokee blood, were listed on a separate roll.

In 1907, the Cherokee Nation was officially disbanded when Oklahoma became a state. When the nation was reconstituted in 1975, the Dawes Commission rolls were used as the basis for determining tribal membership. Using the Dawes rolls caused some confusion since the language used in the 1975 Cherokee Constitution was unclear as to whether membership should be determined only by using the "Cherokee by Blood" roll or whether membership also should consider the Freedmen roll as a basis for citizenship. In 1983, Principal Chief Ross Swimmer issued an executive order that all Cherokee citizens must have a Certificate of Degree of Indian Blood (CDIB) card issued by the federal government in order to retain their citizenship. This card notes the Cherokee blood quantum held by tribal members. However, since the Dawes rolls never made note of the blood quantum for Cherokees of African descent, most Freedmen were unable to obtain the CDIB cards and were thus stripped of Cherokee citizenship and the right to vote in Cherokee Nation elections.

A number of court cases thus ensued over the following decades regarding the citizenship rights of Freedmen. In 1989, a class-action lawsuit was filed claiming discrimination and seeking to have the Freedmen's citizenship reinstated. A federal court ruled that the issue was under the jurisdiction of the Cherokee courts and dismissed the suit. In 2004, the CNSC ruled that the Freedmen should be eligible for citizenship. In 2007, a Cherokee Nation constitutional amendment excluding the Freedmen from citizenship was passed, backed by Principal Chief Chadwick Smith. The Freedmen appealed to the BIA and attempted to sue tribal leaders in federal court

over the matter. Later in 2007, the CNSC ruled that the Freedmen should have their citizenship temporarily reinstated pending the final settlement of their court cases in federal and tribal court. In January 2011, a Cherokee district court ruled that the 2007 exclusion of the Freedmen was invalid, but in August 2011, the CNSC overturned the ruling and stripped Freedmen of their Cherokee citizenship once again.

It was argued by some that the CNSC's decision to disenfranchise Freedmen voters was politically motivated. Suspicion grew because the same primarily Smith-appointed CNSC that invalidated results from the June 24 election that had declared Baker victor now was removing a segment of the voting population from voting eli.031 l -1.209 0.926 l -0.947 f 11 0 x>>BDC 1 1 T 11ActualText<FEFF58 9>>> 999 4(>BD

Legal Framework for the Cherokee Nation Elections

Elections should be organized and regulated by a specific legal framework that is clear, understandable, and transparent and addresses the various aspects of an electoral system necessary to ensure a democratic election takes place.[1] The Carter Center assessed the Cherokee Nation special election for principal chief on the basis of the Constitution of the Cherokee Nation[2] and the Cherokee Nation election code.[3] In conducting the assessment, the Center also considered international good practice for democratic elections.

The sections that follow analyze the Cherokee Nation's constitution and electoral code, noting its strength along with areas that could be enhanced to better protect citizens' fundamental political rights.

CNEC is tasked with marking addresses on the voters roll that do not appear current. Section 24 highlights provisions guiding the CNEC to remove deceased or disenrolled people from the rolls when they receive proper notice from the Cherokee Nation Registration Department. Though this requirement is certainly helpful, it still forces the CNEC to rely on outside forces to be proactive and submit a notice of death or disenrollment in order for the registration lists to be updated. This provision also implies that the CNEC and the Registration Department must maintain some level of regular information exchange in order for deceased or disenrolled people to be removed from the list. Missing from the law is a clear provision stipulating the frequency with which the rolls should be updated. The electoral code should provide a more systematic method and time line for updating the registration lists in order to increase the likelihood that the list it uses during any given election is up-to-date.

The electoral code should provide a more systematic method and time line for updating the registration lists.

Finally, the Tribal Council should note in the election code what means of appeal are available for citizens who feel their names have been wrongly removed from the list or who have been denied the ability to register. This provision is particularly important within the Cherokee Nation context since many Cherokee reside outside the 14-district area and may encounter more difficulty proving they are indeed eligible to vote.

Candidacy and Campaigning

Chapters 4 and 5 of the election code titled "Qualifications of and Filing by Candidates" and "Disclosure of Campaign Finances" are thoroughly written and support core rights of candidates and voters relevant to candidacy and campaigning during the electoral process. Equitable treatment of candidates and parties during an election as well as the maintenance of an open and transparent campaign environment are important to protecting the integrity of the democratic election process.[26] This includes campaign finance, the registration of candidates and political parties, and other aspects of the electoral process associated with campaigns and/or candidates and political parties.

Anyone is able to run for office within the Cherokee Nation who is a citizen of the nation and has not been convicted of or pled guilty to a felony charge under United States laws, the laws of any state, or those of any federally recognized Indian tribe.[27] The election code also permits potential candidates to appeal to the CNSC any decision by the CNEC surrounding eligibility to run for office.[28] International good practice recommends that everyone have the right to an effective remedy before a competent national tribunal for acts that violate their rights or freedoms,[29] so this provision of the election code is an important step toward protecting this fundamental right.

Similarly, the chapter on campaign finance regulations has thorough provisions to minimize possible fraud or irregularities from occurring during the election process. The chapter includes important provisions that restrict the amount of funds a candidate can receive and that prohibit candidates from accepting anonymous contributions. Candidates also are required to submit certified financial disclosure forms on a monthly basis to the CNEC to promote transparency throughout the process and reduce possible abuse of funds.[30]

26 International Convention on the Elimination of All Forms of Racial Discrimination, art. 5(c).

27 Election Code, Chapter 4, §31(A)2.

28 Election Code, Chapter 5, §37(2).

29 UN International Covenant on Civil and Political Rights (ICCPR), art. 2; OAS, American Convention on Human Rights, art 25; Council of Europe, European Convention on Human Rights, art. 13.

30 Election Code, Chapter 6, §§43, 44(A), and 46(A).

Certain additions to this chapter would bolster campaign finance safeguards currently in place. For instance, the electoral code should make clearer how "in-kind" contributions are calculated. As currently written, this is not discernible.

Though it is commendable that Section 46(A) of the code requires certified disclosure by candidates of their financial reports on a monthly basis, the Tribal Council also should require in the code that these reports be made public so as to increase transparency and promote voters' understanding of aspects of the electoral process and how candidates finance their campaigns. It is also unclear whether the CNEC has the staff capacity to conduct thorough review of such financial disclosure on a monthly basis as required by the code. If this provision is not realistic for the CNEC, they should consult with the Tribal Council so that the code might be updated to reflect a more sustainable campaign finance review scheme.

In addition, more clarity is recommended in Section 47(C) on "Radio and Television Time," particularly the means used by the CNEC to quantify radio or television time donated to candidates. This would provide additional protection to ensure such donations do not unfairly benefit one candidate over the other, in violation of campaign finance regulations within other sections of that chapter.

Voting Operations

Chapter 6 of the election code covers the "Conduct of Elections." The way in which the r

bearing a clear statement that the ballot had not been received would not be accepted. This process of requiring specific language from voters in order for their vote to count is not desirable in that it unneees sarily restricts the voting rights of citizens.

Challenged Ballots

Section 64 governs provisions for the casting of challenged ballots on election day. In addition to the provisions governing the use of challenged ballots for absentee voters, the election law states that a voter whose name does not appear on the voter list, or whose right to vote is challenged by a precinct official for another reason, will be permitted to vote only if they complete a voter registration application for a residence address in an at-large district. They also will be permitted to vote if they sign a statement swearing and affirming they currently are eligible to vote and have not yet voted. Once a challenged ballot is cast, the ballot is preserved in a separate challenged ballot box. Once counting takes place, the CNEC will count the ballot if the person was entitled to vote but will not count it otherwise. Thus, some voters who cast challenged ballots may, in the end, not have their ballots counted. This should be made clearer to voters.

Required Identification

There is no clear mention in the electoral code of the type of identification required by voters to verify their identity and eligibility to vote on election day. Section 62, paragraph B simply notes that to vote in person, voters must appear at the precinct, announce their name to the official, and sign the registry before being handed a ballot. Throughout observation, Center observers noted that precinct workers could authenticate voters' identity by either: personal knowledge, driver's license, voter registration card, or tribal membership card. In practice, the authentication method used was inconsistent and varied depending on the polling precinct. The code should delineate explicitly what methods are acceptable for verifying voter identity. To ensure consistent application, it would be beneficial if the Tribal Council limited the variety of ways voters can identify themselves—perhaps limiting it to tribal membership card and/or driver's license, for instance.

Other Election Day Provisions

Chapter 6 covers a number of crucial aspects pertaining to election-day procedures, including: how voters may cast ballotsn <</MCID 1549 >>BDC BT /T1_1 1

33 The woman stated she was treated like she was illiterate and felt that overall she had been treated rudely. Though one CNEC staff alleg edly came out to apologize for the behavior of other staff members, the Freedmen voter noted she was degraded by the experience. (Declaration of Charlene White, Sept. 0xation DesT EMC /Span <</MCID 1804 >>BD61804 >>

Sept. 24 Election Day

Following the Carter Center's observation of the Sept. 24 election day, the Center released a statement of findings on Sept. 27. The section below includes the text from this statement in addition to any subsequent observations the Center made.

Election Administration

Overall, Carter Center observation teams commended the competent administration of the election by the CNEC and precinct polling staff. The conduct of this election was notable given the evolving round of legal disputes and administrative burdens placed on the CNEC by the federal court just days before the election.

In many precincts where poll workers were understaffed, Center observers noted that poll officials managed the election-day process despite having fewer staff than anticipated in the law and regulations. Poll workers were well-informed about voting procedures, including many of the last-minute changes in the signed federal court order of Sept. 21. However, there were a few exceptions to this, including instances where Carter Center observers noted confusion among some poll officials regarding the use of challenged ballot mechanisms and other important election safeguards.

The policy of the CNEC to have precinct poll officials call the commissioners if in doubt regarding any aspect of the election process helped polling officials navigate some of the more challenging election-day issues. Precinct officials reported to The Carter Center that the CNEC was generally responsive to their needs when they sought clarification on processes and procedures, although some complained that the phone lines were jammed. This atmosphere of open communication between the CNEC and poll workers was especially important given that confusion arose often due to the last-minute changes in the election procedures. However, in the future, precinct officials and the voters they serve would benefit from additional call-in lines so that election issues can be addressed even more efficiently.

Polling was well-organized in most precincts, ensuring the efficient flow of voters through the voting process. Most observers reported that the layout of the precinct was such that the secrecy of the ballot was protected.[34] The majority of precincts were accessible to disabled voters. While Carter Center observers noted that precinct poll officials did not consistently explain to voters how to cast their ballots, voters seemed to understand the voting process and were able to vote without hindrance.

Despite the administrative burdens and the last-minute shifting of election procedures noted above, the Center found that the CNEC and poll workers conducted a successful and disciplined election.

Absentee Voting and Challenged Ballots

A large number of Cherokee Nation registered-voters were sent absentee ballots for the September 2011 election. Absentee voting is internationally recognized as a good practice to ensure the right to vote. However, absentee voting removes some of the safeguards that are inherent in controlled, in-person voting environments.

The CNEC dispatched approximately 12,000 ballots to voters in the 14 counties and throughout Oklahoma and beyond.[35] Some 8,000 of the 56,000 registered Cherokee voters requested absentee ballots in June 2011. Of the 15,000 total ballots cast in June, 6,000, or approximately 40 percent, were absentee

34 A few precincts situated the ballot tabulator very close to the precinct staff, thereby potentially undermining a safeguard of ballot secrecy. This also was observed during early voting; however, Carter Center observers did not report any evidence that ballot secrecy was violated.

35 This marks a considerable increase from the approximately 8,000 absentee ballots issued for the June 25 election.

ballots. Following the Supreme Court decision mandating a rerun, the CNEC reopened the window for absentee ballot requests for a short period in early August. Eventually, 4,000 additional absentee ballots were requested, bringing the total absentee ballots requested for the September 2011 election to 12,000.

All voters who had requested an absentee ballot for the June election were automatically sent them for the Sept. 24 special election. Since the Sept. 24 election was a redo of the June one, citizens who registered to vote between the two elections were not eligible to vote in the Sept. 24 election. However, citizens who were registered but did not request an absentee ballot for the June election could request one during a 10-day period in August.

While the automatic dispatch of the absentee-ballots was a good-faith effort by the CNEC to ensure all voters were able to cast a ballot in the principal chief race, Carter Center observers reported some voter confusion caused by this at the polling precincts. Voters who were issued an absentee ballot, but who stated that they did not receive that ballot, were eligible to cast a challenged ballot.[36] The procedures surrounding casting a challenged ballot created some confusion, as some voters thought that they would be able to vote a regular ballot at the polling station even if they had received an absentee ballot. Poll workers often were in contact with the CNEC in such cases, and at times they issued challenged ballots to voters. However, challenged ballots can only be counted if the voter says that he or she never received an absentee ballot, not if the voter lost the ballot or decided that they wanted to vote in person instead.

These ballots, once voted, were placed in secrecy envelopes and stored separately from the regular ballots cast via the tabulator. The challenged ballots were to be reviewed by the CNEC during the vote-counting process and a determination made on their validity.[37] Carter Center observers reported instances of challenged ballots being cast, in most precincts on the basis of this, but also for other reasons. In several cases, a voter who had received an absentee ballot (and/or who was listed on the voter registry as having been issued an absentee ballot) arrived at the station with the hope of either casting a regular ballot in person or casting the absentee ballot in person via the tabulator. Some voters arrived at the precinct to find they were unable to vote because they had been issued absentee ballots they claimed not to have requested. Because the Cherokee Nation law states that voters issued absentee ballots may cast challenged ballots only if they state that they did not receive an absentee ballot, these voters were not able to cast a challenged ballot. Although precinct officials generally sought guidance from the CNEC on how to proceed in each individual case, future elections would benefit from a more robust public information campaign to explain the absentee and challenged ballot processes in detail.

No ballots were counted by the Election Commission until the week of Oct. 9, 2011. This included ballots cast in the tabulator at precincts as well as absentee and challenged ballots.

Voter Registration and Identification

Carter Center observers noted significant confusion regarding voter registration procedures for this election. Only voters who registered to vote for the June election were eligible to vote in the September election for principal chief. While new registrations and requests to change precincts were taken by the Election Commission between June and September, these new registrations and amendments to the voters roll were not applicable to the Sept. 24 election.[38]

thinking that they had registered to vote in this election, and others went to the wrong precinct thinking that the forms they had filled out would apply to the September election. In several cases throughout the counties, citizens arrived at the polls to find that either they were not registered to vote at that precinct or were not registered at all. In most of these cases, voters either were sent to the appropriate precinct or were sent away (respectively). In some cases, however, such voters were advised that they could cast a challenged ballot. However, these challenged ballots could not be counted, because the election law prohibits voters from voting outside of the precinct

The lack of poll watchers representing both candi dates during all phases of the process undermines the inherent value of having poll watchers present. The Carter Center hopes that the Election Commission will take any steps necessary to facilitate the full access of the watchers for both candidates for future elections.

The Election Commission developed a thorough set of regulations regarding the conduct of poll

Observation of Extra Voting Days

As per the Sept. 26, 2011, federal court order, the Cherokee Nation was required to hold five extra walk-in voting days to give Freedmen voters an additional opportunity to cast their ballots.[41] The extra voting days took place on Sept. 29 and Oct. 1, 4, 6, and 8 at the CNEC headquarters in Tahlequah, Okla. The Carter Center deployed an observer to the CNEC to monitor each of the extra voting days, with five additional observers joining to monitor the final day of voting.

Election Administration

A Center observer reported that the CNEC consistently carried out procedures for opening and closing the polls each day. Consistent procedures were followed regarding the removal and setup of election materials for voting. After closing, all voting materials were returned to the vault and secured by a marshal and appeared protected from the possibility of any tampering.

When voters had questions on the process, CNEC staff carefully addressed the matters. Throughout the extra voting days, most processes flowed fairly smoothly. However, confusion did arise consistently regarding a letter the CNEC sent to some registered Cherokee voters. The letter noted that all registered Cherokee who had not yet voted could do so during the extra five voting days. Many would-be voters came to the CNEC, having interpreted the letter to mean that they had not voted, although many actually had. Others, who had not registered in time for the initial June 25 election, read the letter to mean they now had the opportunity to vote. In each case observed, CNEC staff corrected any error in interpretation by voters and seemed to resolve the matter fairly smoothly. In other rare instances where voters appeared upset because of a misunderstanding of the process,[42] the commissioners and staff consistently remained calm as they worked with those voters to resolve the problems and maintain calm within the polling area.

Throughout the additional voting days, the CNEC carried out its tasks in an impartial manner, without interfering with polling procedures. When any issues or doubt arose, the CNEC seemed to err on the side of caution and considered whether their actions could be perceived as partial or in violation of any electoral regulations.

Absentee Voting and ChallenAmrs andəhoOc

they might otherwise have tried to locate the initial absentee ballots they had received. If the CNEC had verified a clear procedure and understanding regard ing how the challenged ballot process was supposed

entered the polling station to bring the poll watchers lunch, etc., but seemed to linger and carry out discussions with the poll watchers, all while voters were casting ballots. Although an observer noted these acts did arouse some comment from voters present at the commission, the Center does not believe these acts affected the integrity of the polling process.

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make decisions regarding the validity of votes, includ

Hand Tallying Ballots Rejected by the Tabulator

The ballot tabulation machine automatically scanned the ballots, printed out results, and rejected or "outstacked" ballots that it could not read because they had been marked incorrectly or otherwise damaged.[49] Fewer than 50 ballots were outstacked by the machine, and these were carefully reviewed by all the commissioners. In evaluating these ballots, the commissioners used a narrow definition of voter intent to decide for whom the vote was to be counted. This narrow interpretation resulted from the CNEC's strict adherence to the statute on the issue, in addition to feedback the CNEC received from the Cherokee Supreme Court during the July 2011 evidentiary recount that took place during the controversy over the June election. Center observers noted the commissioners remained consistent in determining whether to accept or reject ballots.

A number of the hand tallied ballots were outstacked because the voter did not complete the arrow as required to signify for which candidate they were voting. The completion of the arrow was required in electoral regulations in order for the ballot to be counted. Illustration 1 provides an example of how the arrow on the ballot should be completed.

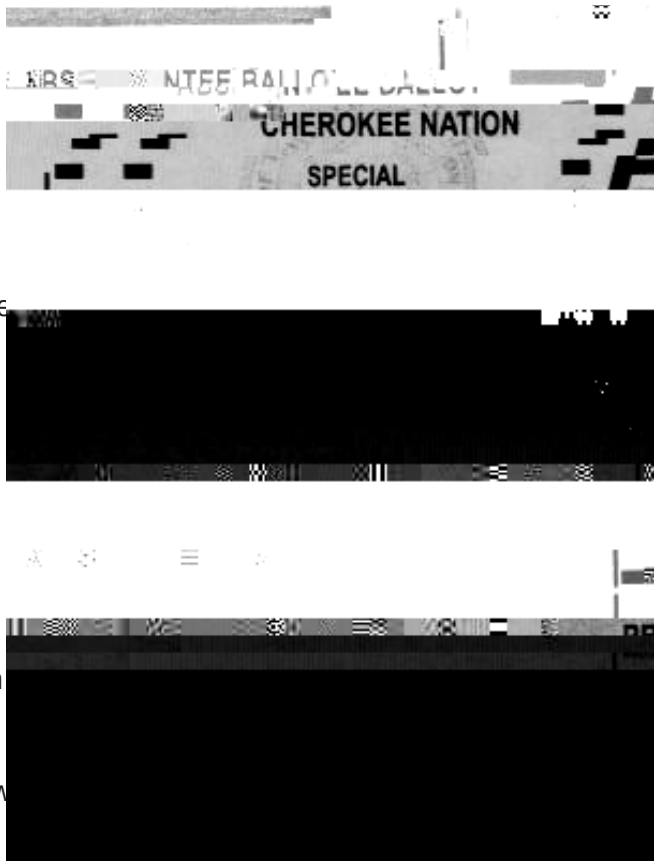

Illustration 1: Example of how the arrow should be completed on the ballot

Although the counting process unfolded smoothly, for future elections, the Center suggests that the commission establish clear, written criteria for the acceptance or rejection of ballots prior to the commencement of counting, including determination of whether marks other than completion of the arrow will be accepted, and that amendments to the election law in this regard also be considered.

Challenged Ballots

The final stage of the counting was the evaluation of approximately 150 challenged ballots by the commission members. In instances in which a voter arrived to vote at the commission but had been issued an absentee ballot, commission staff advised that they would be able to cast a challenged ballot but that, depending on a determination by the commission, their ballot might not be counted. This was a correct interpretation of the Cherokee Nation election law, which states that a challenged ballot will only be counted if cast by a voter who has requested an absentee ballot and states that they did not receive their ballot in the mail.[50]

In light of the election law as written and the Sept. 26 court order from the federal court, there initially was some confusion regarding how challenged ballots would be evaluated; but once a procedural system was established, the process went smoothly. After consulting with their lawyers and rereading the federal court

49 Ballots can be outstacked (i.e., are rejected by the machine and must be hand tallied) if they: reflect a vote for both candidates or neither candidate; are cast in colored ink or pencil; or have had the machine readable barcode defaced.

50 Election Code, Chapter 6, Article 2, §78.

ballots be sent to all registered Freedmen voters who had requested one and that, in cases where Freedmen had not received those ballots by Sept. 23, the CNEC had to send a second absentee ballot to them.

The CNEC accepted and counted all challenged ballots cast by Freedmen voters at the Election Commission in Tahlequah. All absentee ballots cast by Freedmen (except for those that did not bear the requisite notary seal and signature and/or the required voter signature) were counted. Where the absentee ballot database indicated that a Freedmen voter had returned two absentee ballots, Carter Center observ ers reported that the commissioners always accepted one of those ballots and rejected the duplicate. Center observers noted consistently that CNEC staff always treated the second absentee ballot cast by a voter as the duplicate. In cases in which Freedmen

Conclusions and Recommendations

The recommendations that follow are based on the direct observation of Center observers during the special election for principal chief of the Cherokee Nation. The Center respectfully offers these recommendations to the Cherokee Nation in the hopes that these might help improve future elections.

To the government of the Cherokee Nation

1. Communicate with the CNEC when drafting election-related legislation.
In discussions held separately with both the CNEC and the Cherokee Nation Tribal Council, it became clear to The Carter Center that there exists a communication gap between the CNEC and the Tribal Council regarding the creation of election-related legislation. The council appears to draft and promulgate such legislation without consulting the CNEC, the administrative body responsible for implementing the legislation. Therefore, the Center strongly encourages both the CNEC and the Tribal Council to have timely consultations about the content of election-related laws. This would ensure that the laws drafted by the Tribal Council are practical and properly worded, the role and responsibility of the CNEC remains clear, and administrative procedures are realistic and protect the rights of Cherokee citizens.

2. Modify the current electoral code.
In reviewing the current Cherokee Nation electoral code, the Center noted areas that would benefit from enhanced language. In general, the code should be reviewed for ambiguous language that could render certain provisions susceptible to manipulation or multiple interpretations. The Center also made note of provisions that could be integrated into the electoral code to make it more robust.

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subsequent reviews) provided their presence does not hinder the electoral process in any way.

s#LARIFY WHAT IDENTIFICATION VOTERS MUST PRESENT TO VOTE ON ELECTION DAY

The code does not specify what form of identifica

CNEC to take ownership of the process and promote greater voter confidence.

The Center acknowledges the important role that CNEC members play in the counting process and recognizes their need to be present throughout much of the process. As such, the Center recommends that where commissioners are unable to participate in the data entry process, they should designate appropriate staff to take part in this process on their behalf.

The Center strongly encourages CNEC staff to take a more active role in entering data from the absentee ballots.

9. Advise appropriate authorities of the errors made by notaries.

During the absentee ballot review process, commissioners had to determine whether to accept absentee ballots on the basis of whether the signature and notary procedures were properly followed. In instances where the notary failed to sign and/or stamp the outer envelope, the ballot was rejected even if the voter had followed proper procedure by signing the ballot and taking it to be notarized. Center observers noted that in about 300 cases, the CNEC had to reject absentee ballots because the notary failed to properly sign and/or stamp the outer envelope for the absentee ballot. Since approximately 300 voters were disenfranchised by these errors, the Center strongly recommends that the CNEC contact the notaries and appropriate authorities to advise them of these errors. Notaries have a duty to carry out their commission in accordance with the law. Those notaries who failed to do so should be notified promptly and admonished accordingly. In future elections, the CNEC might also consider verifying the credentials of notaries who certify absentee ballots.

Terms and Abbreviations

BIA	Bureau of Indian Affairs
CDIB	Certificate of Degree of Indian Blood
CNSC	Cherokee Nation Supreme Court
CNEC	Cherokee Nation Election Commission
HUD	Department of Housing and Urban Development
MoU	Memorandum of Understanding
TC	Tribal Council

Appendix A
Invitation to The Carter Center to Observe

Appendix B

e) Assure that Carter Center personnel, while in the fourteen counties of the Cherokee Nation, do not take part in activities inconsistent with the goals of this Memorandum of Understanding.

Article 2: Obligations of the Cherokee Nation Election Commission

The Cherokee Nation Election Commission agrees to:

a) Guarantee to The Carter Center the benefit of all facilities and privileges required for the implementation of the election observation mission before, during, and post-polling activities for the special election of the Principal Chief, subject to the terms of this agreement.

b) Guarantee to the election observation mission during polling, and in the periods before and post-polling, the free and unencumbered movement of observers throughout the fourteen counties of the Cherokee Nation.

c) Permit observers full access to the relevant bodies and actors of the electoral process.

d) Guarantee to the election observation mission full and free access to polling precincts, counting and vote compilation centers, and to all officials concerned with the electoral process, and to provide the election observation mission with all relevant information related to the organization, administration and execution of the election, including information related to absentee voting and the unofficial and official final results. The mission may also request supplemental information relating to the exercise of the mission's functions.

e) Guarantee to the election observation mission freedom to issue public statements and reports concerning its findings about the election, election related processes, and observation, and to guarantee that no governmental, security or electoral authority will interfere in the work of the mission or the selection of individual observers.

f) Exempt The Carter Center and its personnel from legal proceedings initiated as a result of this Agreement, excepting liabilities attributable to gross negligence, willful act or breach of this Memorandum of Understanding.

Article 3: Effective Date

This agreement takes effect on the date of the signature of the Parties and remains in effect unless cancelled by the Parties herein in accordance with Article 4.

Article 4: Termination of Agreement

This agreement may be cancelled at any time by mutual written consent of the Parties, or by means of prior written notice of 30 days by either of the Parties.

Article 5: Amendments to the Agreement

This agreement may be amended or revised if all Parties so agree. Amendments shall take effect on the date of signature of the Parties.

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Article 6: Notice

All correspondence relating to this Me[illegible] shall be addressed as follows:

For the Cherokee Nation Election Commission:

Brenda Walker
Vice Chairperson, Cherokee Nation Election Commission
22116 S. Bald Hill Road
Tahlequah, OK 74464

Brenda Jane Walker

Wanda Beavers 9-7-16
Witness Date

For The Carter Center:

Phillip J. Wise, Jr.
Vice President, Operations
The Carter Center
453 Freedom Parkway
Atlanta GA 30307

Witness 9/9/16
Date

3

Appendix D
Deployment Plan for Sept. 24

Team 1	Team 2	Team 3
TAHLEQUAH (Sequoyah Schools old gym) 17091 S. Muskogee Ave Tahlequah, OK 74464 KEYS (High School cafeteria) 26622 S. 520 Rd Park Hill, OK 74451 Election Commission Tahlequah	BARTLESVILLE (Keeler Hts. Community Bldg.) 1003 S Virginia Bartlesville, OK 74003 S. COFFEYVILLE (Cherokee Nation Community Building) 215 Oklahoma St S. Coffeyville, OK 74072 NOWATA (Senior Citizens Center) 238 N Maple St Nowata, OK 74048 TULSA (Trinity Christian Church) 1055 N Garnett Tulsa, OK 74116 COLLINSVILLE (Library)	

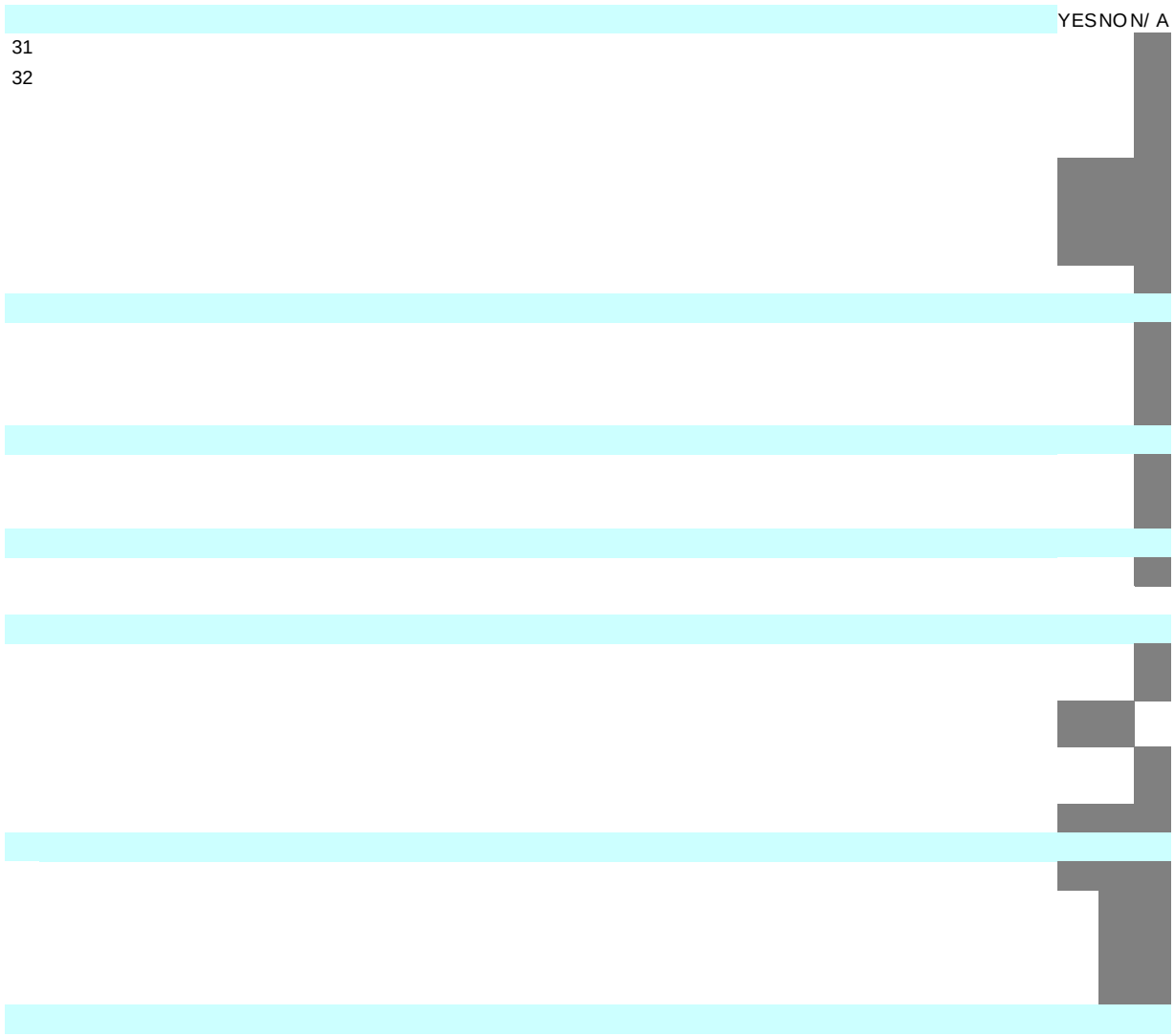
Appendix E
Checklists Used by the Carter Center Mission

Observer Names: Date: ___/___/___ Arr time ____:__ _ Dept ____:___

		YES	NO	N/ A
1				
2	If 'NO'			
3				
4				
5				
6				
7				
8				
9				
10	Did the ballot machines and materials remain at the commission overnight?			
		YES	NO	N/ A
11				
12				
13				
14	Did commission staff cross out voters' names (or make some other demarcation) on the registration list to note the voter was present?			
15				
16	Were persons who did not hold valid voter cards allowed to vote? If YES, how many?_____			
17	Were the names of persons holding a valid voter card crossed off on the registration list? If YES, how many?_____			
18				
19				
20				
21	Are voters with disabilities assisted in voting by a person of their choosing?			
22	Is anyone marking ballots for voters or telling voters how to vote (other than by assisting voters with disabilities)? If Yes, who?_____			
23	What steps do polling officials take to indicate a spoiled ballot has been cancelled? _____			
24	Are there technical or logistical problems with any of the following? (If Yes, mark which and comment at end) † final registers † ballot papers † ballot machines † voting screens † seals † other_____			
25	Is anyone other than the polling officials actively involved in the voting process? If Yes, who? o Local official o Elder or chief o Police o Military o Other _____			
26	Who is voting early? _____			
27	Based on your observations, was there a good number of women voting (at least 40%)?			
28	Were provisions in place to allow Freedmen to cast challenged ballots?			
29	Were there any major irregularities preventing Freedmen from casting their challenged ballots? If Yes, what were they? _____			
30	Were there any major irregularities? If Yes, please mark the irregularities you observed today and comment at the end: † Multiple Voting † Ballot Machine tampering † Underage Voting † Proxy voting † Other_____			

2011 Special Election for Cherokee Nation Principal Chief

EARLY VOTING (continued)



2011 Special Election for Cherokee Nation Principal Chief

POLL OPENING (continued)

21	If NO to 20, did polling officials phone the election commission? Explain below what happened.			
22	Were poll watchers able to correctly record the ballot tub seal numbers?			
23	Did the polling precinct open by 7:00am?			
24	If NO to 25, please check one of the following and note below what time the precinct opened: ‡7:00 - 7:30 ‡7:30 - 8:00 ‡8:00 - 8:30 ‡8:30 - 9:00 ‡after 9:00 ‡did not open			
25	If NO to 25 please check one of the following reasons that explains why the polling precinct opened late: ‡ Polling staff lack of understanding of procedures ‡ Insufficient/missing materials ‡ Insufficient number of polling staff ‡ Other _____			
	OTHER PERSONS PRESENT			
26	Was the process free from interference (security personnel, party agents, others)? If NO, please comment below.			
27	Were security personnel present at the polling precinct?			
28	If YES to 29 did they appear to interfere with the opening process in any way? Please explain below.			
29	Were any poll watchers present? If YES, for which candidate? ‡Bill John Baker ‡ Chadwick Smith			
	OFFICIAL COMPLAINT S			
	1RWH 4XHVWLRQ PD\ UHTXLUH \RX WR VSHDN GLUHFWO\ WR SROOLQJ RIILFLDOV VR RQ KQ WKLV ZLOO QRW GLVUXSW WKH YRWLQJ SURFHVV			
30	Were any formal complaints recorded? If YES, please explain.			
	OVERALL ASSESSMENT			
	Instructions : Put an 'X' next to the statement that best describes your assessment of the election environment and voting process for this polling precinct. If your response is "poor" or "very poor," it is important that you provide further explanation in the comments section.			
	Very Good - No significant incidents or irregularities			
	Good - A few incidents or some minor irregularities, but none that had a significant effect on the integrity of the process			
	Poor - Incidents or irregularities that significantly affected the integrity of the process			
	Very Poor - Incidents of irregularities of such magnitude that the integrity of the process is in doubt			
	COMMENTS			
	Instructions : In the box below, please provide explanation for any question above to which you answered "YES or "NO" and were prompted to provide additional comment. Please also use this space to note any other comments you would like to provide. If additional space is required, please continue to the back of the form and/or attach additional sheets of paper to the report form.			

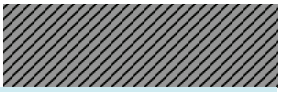
POLLING

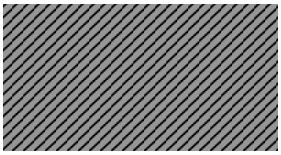
POLLING CHECKLIST
CHEROKEE NATION 2011

	Observer Team Number:	Date (month/day):
	Town:	Arrival Time ___:___
	District: County:	Departure Time ___:___
	Polling Precinct Number:	☐Urban ☐Rural

		YES	NO	N/A
	OUTSIDE THE POLLING PRECINCT			
1	Was the environment around the polling precinct: ‡calm ‡somewhat calm ‡ tense ☐ violent ?			
2	Was the environment around the polling precinct: ☐ orderly ‡somewhat orderly ‡ disorderly ☐very disorderly ?			
3	Did the polling precinct remain free from campaign activities during the day?			
4	Was the polling precinct accessible throughout the day to all voters with disabilities?			
	INSIDE THE POLLING PRECINCT			
	1RWH 4XHVWLRQV ZLOO UHTXLUH \RX WR VSHDN GLUHFWO\ WR SROO 3OHDVH GR NRW KHVLWDWH ZLOO QRW GLVUXSW WKH YRWLQJ SURFHVV			
5	How many voters are registered at this polling precinct? _____			
6	How many ballots were received at the polling precinct for the Principal Chief election? _____			
7	Was the precinct declared open at 7:00am by announcement?			
8	If NO, check one of the following to indicate when the precinct opened: ‡7:00-7:30 ‡7:30-8:00 ‡8:00-8:30 ‡8:30-9:00 ‡after 9:00 ‡did not open			
9	If NO to 8, please check one of the following reasons that explains why the announcement came late: ‡Polling staff lack of understanding of procedures ‡Insufficient/missing materials ‡Insufficient number of polling staff ‡Other _____			
10	Which of the following polling officials were present: ‡Judge ‡Clerk ‡Inspector ‡ Sergeant-at-Arms			
11	How many of the polling staff were women? _____			
12	Were only authorized persons inside the polling precinct? (i.e. - voters, polling officials, poll watchers, election commission members and/or law enforcement officers requested).			
13	Were sufficient materials received to facilitate voting? If NO, what was missing: ‡ballot paper ‡secrecy booth ‡pens ‡tabulators ‡voters list ‡challenged ballots?			
14	Were voters able to move smoothly throughout the polling precinct?			
	VOTING PROCESS			
15	Did all polling officials appear to understand their duties?			
16	Was the precinct set up to facilitate ballot secrecy?			
17	Were voter identification procedures followed properly? If NO, comment below.			
18	Was every confirmed registered voter asked to sign their name in the Precinct Voters Signature book after having their identity confirmed?			
19	Were all confirmed registered voters provided a ballot by the Clerk?			
20	Did the Clerk explain the voting process or show the voter the ballot marking instructions?			

(continues)





COMMENTS
Instructions : In the box below, please provide explanation for any question above to which you answered "YES or "NO" and were prompted to provide additional comment. Please also use this space to note any other comments you would like to provide. If additional space is required, please continue to the back of the form and/or attach additional sheets of paper to the report form.

2011 Special Election for Cherokee Nation Principal Chief

CLOSING CHECKLIST
CHEROKEE NATION 2011

Observer Team Number: Date (month/day):

Town: Arrival Time ___:___

District: County: Departure Time ___:___

Polling Precinct Number: ☐Urban ☐Rural

		Yes	No	N/A
	OUTSIDE THE POLLING PRECINCT			
1	Was the environment around the polling precinct ‡calm ‡somewhat calm ‡tense ‡violent ?			
2				
3	Was the polling precinct environment free from campaigning activities?			
4				
5				
6				
7				
8	How many voters voted at this polling precinct? _____			
	FINAL CLOSING PROCESS			
9	Did the polling Inspector announce the close of the polling precinct at 7pm?			
10				
11	Were all voters who were in line at 7pm allowed to vote?			
12				
13	Did the Inspector open the Emergency Ballot Compartment of the tabulator to determine if any ballots were in it to be inserted into the tabulator?			
14	If YES, to 13 and ballots were found, were these ballots then inserted into the tabulator?			
15	Did any irregularities arise while the tabulator was being shut down? If YES, please comment below.			
16	Was the tabulator properly turned off and secured?			
17	Did the Clerk reconcile the number of ballots cast with total ballots used? If NO, please comment below.			
18	Were all spoiled and unused placed in the balllot transfer case? If NO, please comment below.			
19	Were the Challenged Ballot Envelopes placed in the Elections Rehhl r1Ballot Ew urns chl r29 TD (1 in the Elections Rs5aivalgppj /C210 1 Tf 124			
20	Did the polling Inspector, Clerk and Judge seal and sign the ballot transfer case?			
21	Did the polling Inspector, Clerk and Judge seal and sign the election returns envelope?			
22	Please record the seal numbers on the box of voting material _____ and _____ and on the voting machine _____			

23

24

OBSERVATIONS OF POLL WATCHERS

25 Did any poll watchers report seeing problems that you did not witness? If YES, please comment below.

26

26

27

28 If YES to 29 did they interfere with the closing process in any way? Please comment below.

29 How many poll watchers were present? _____

30 How many poll watchers were women? _____

31 Which candidates had poll watchers present?
‡Bill John Baker ‡ Chadwick Smith ‡None

32 Were there any restrictions that prevented any poll watchers performing their duties? If YES, please comment below.

COMMENTS

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2011 Special E

CHERO

P

Instructions: Read the question carefully a
'X' in the 'Don't Know' (D/K) box. If the ques
formulated so that a 'YES' answer generally
issues that require further comment. If you a
details in the 'comments section'.

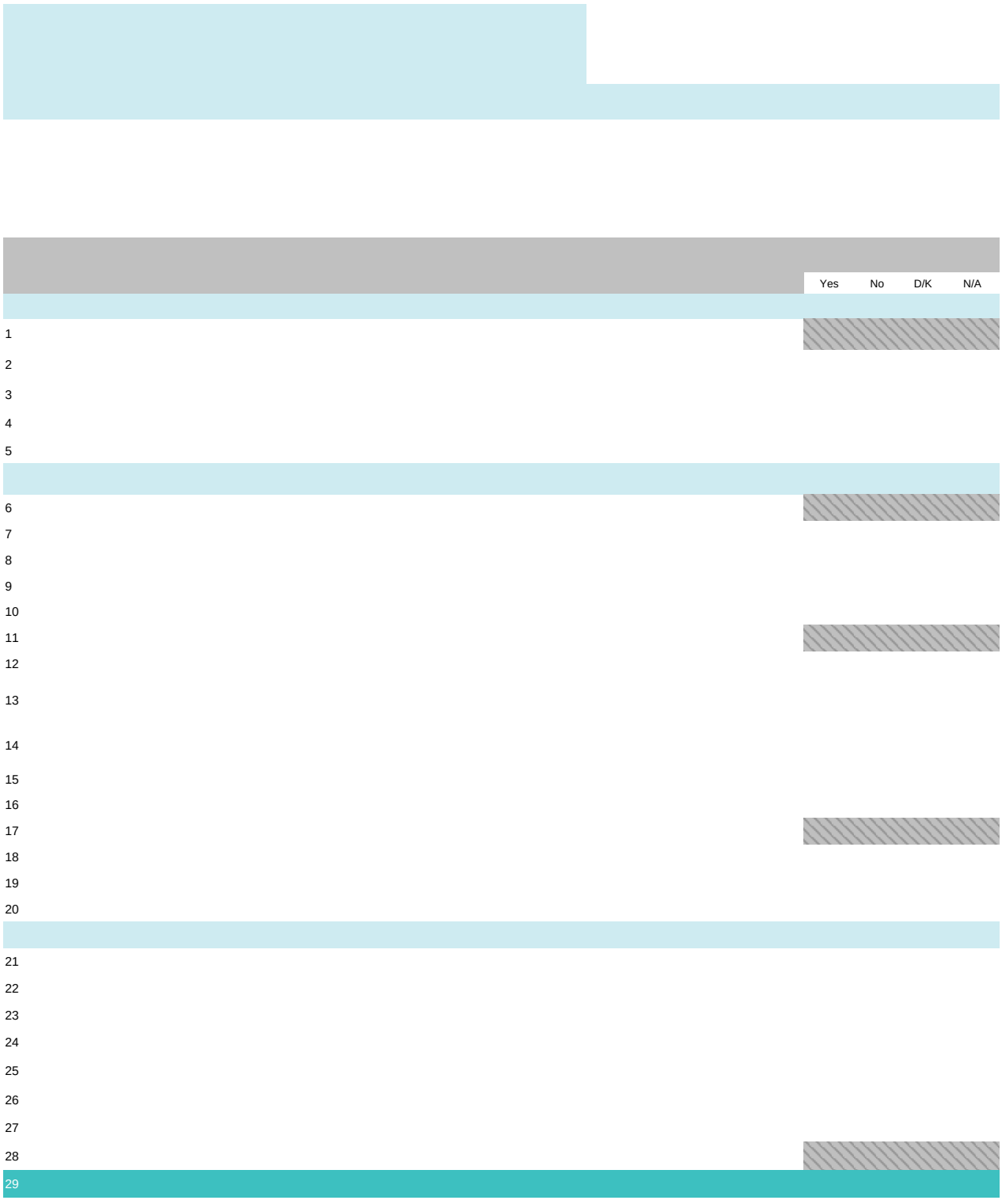
1	At what time did the count begin? _____		
2	When counting began did it appear that		
3	Did the Commission staff person open th representatives?		
4	Was the counting process free from effo		
5	Did polling officials follow established an		
6	Was the validity of ballots determined in		
7	Was vote counting transparent and obse		
8	Was the environment in which counting		
9	Was the polling place free from the pres		
10	Were all ballots accurately counted?		
11	Did the counting team review the certific details on the precinct tabulator data forr		
12	Did the teams close the tabulator?		
13	Were there any technical problems with		
14	Was a precinct report completed?		
15	Was the counting process free from inte		
16	Was the counting process free from offic		
17	If complaints were issued were officials r		
18	Did the election official, in the presence procedures?		
19	When did the count of precinct results er		

Instructions for this Section: Put an 'X' ne
counting process. If your response is "poor"

Very Good - No significant incidents or irreg	
Good - A few incidents or some minor irregu	
Poor - Incidents or irregularities that have th	
Very Poor - Incidents of irregularities of such	

Instructions: please provide details of any
of this peice of paper. You must provide exp
required, please continue to the back of the

2011 Special Election for Cherokee Nation Principal Chief



Overall Assessment	
Instructions for this Section: Put an 'X' next to the statement that best describes your assessment of the election environment and counting process. If your response is "poor" or "very poor," it is important that you provide further explanation in the comments section.	
Very Good - No significant incidents or irregularities	
Good - A few incidents or some minor irregularities, but that had no significant effect on the integrity of the process	
Poor - Incidents or irregularities that have the potential to affect the integrity of the process	
Very Poor - Incidents of irregularities of such magnitude that the integrity of the process is in doubt.	

Comments
Instructions: In the box below, please provide details of any complaints or irregularities that occurred at the polling station that you observed. You must provide explanation for any observation question to which you answered "NO". If additional space is required, please continue to the back of the form and/or attach additional sheets of paper to the report form.

COUNTING: MAIL-IN ABSENTEE BALLOTS (continued)

27	Was the polling place free from the presence of unauthorized persons during counting?				
28	Was the process conducted with accuracy?				
29	Was absentee ballot processing free from interference (including by the security personnel)?				
30	Was the counting process free from official complaints made to the Election Commission?				
31	If complaints were issued were officials responsive to these complaints?				
32	When did absentee ballot processing end? _____ am/pm (circle date) 10/9 10/10 10/11				
33	Did you receive any reports of irregularities in this process. If YES, please comment.				

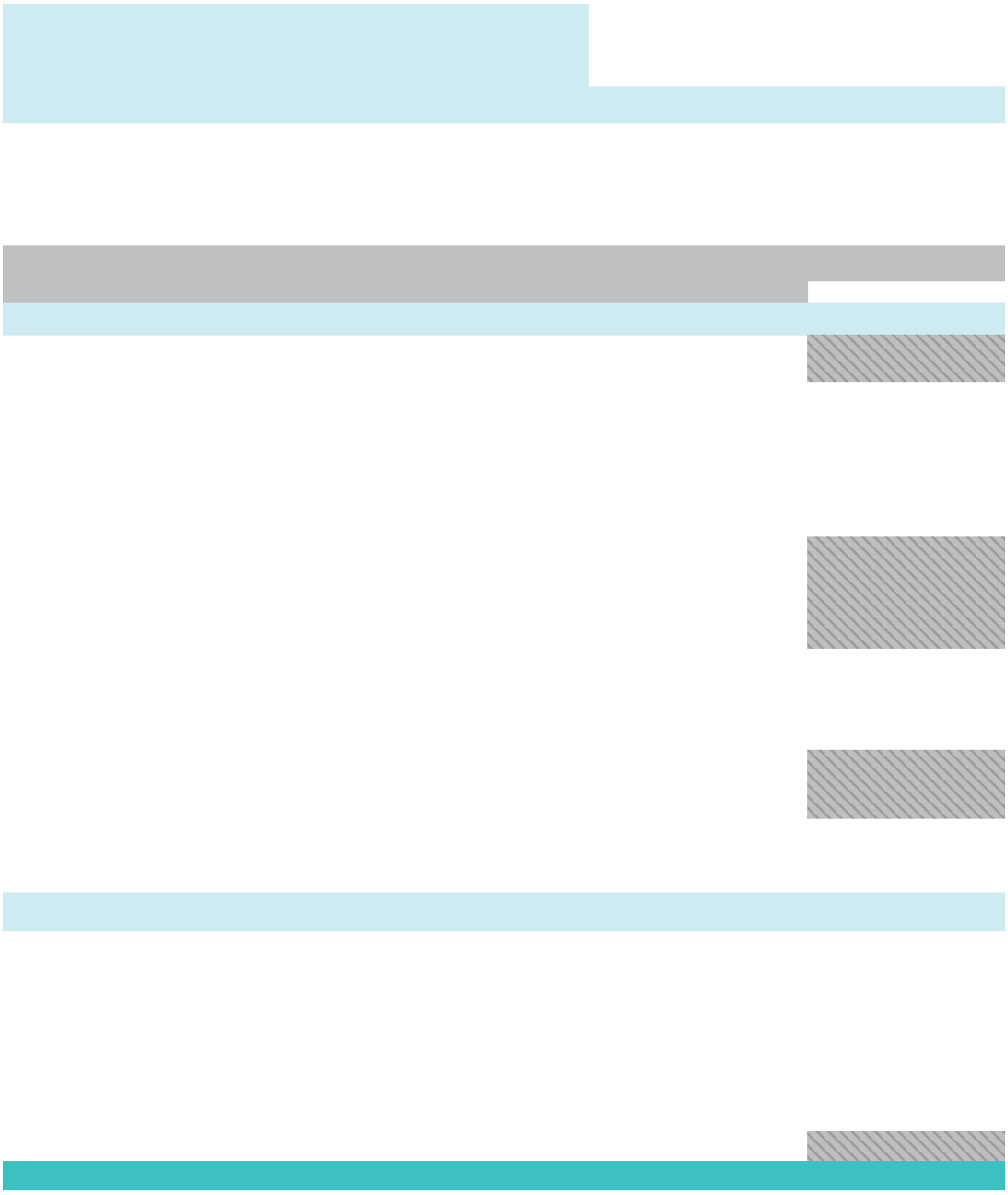
Overall Assessment

Instructions for this Section: Put an 'X' next to the statement that best describes your assessment of the election environment and counting process. If your response is "poor" or "very poor," it is important that you provide further explanation in the comments section.

Very Good - No significant incidents or irregularities	
Good - A few incidents or some minor irregularities, but that had no significant effect on the integrity of the process	
Poor - Incidents or irregularities that have the potential to affect the integrity of the process	
Very Poor - Incidents of irregularities of such magnitude that the integrity of the process is in doubt.	

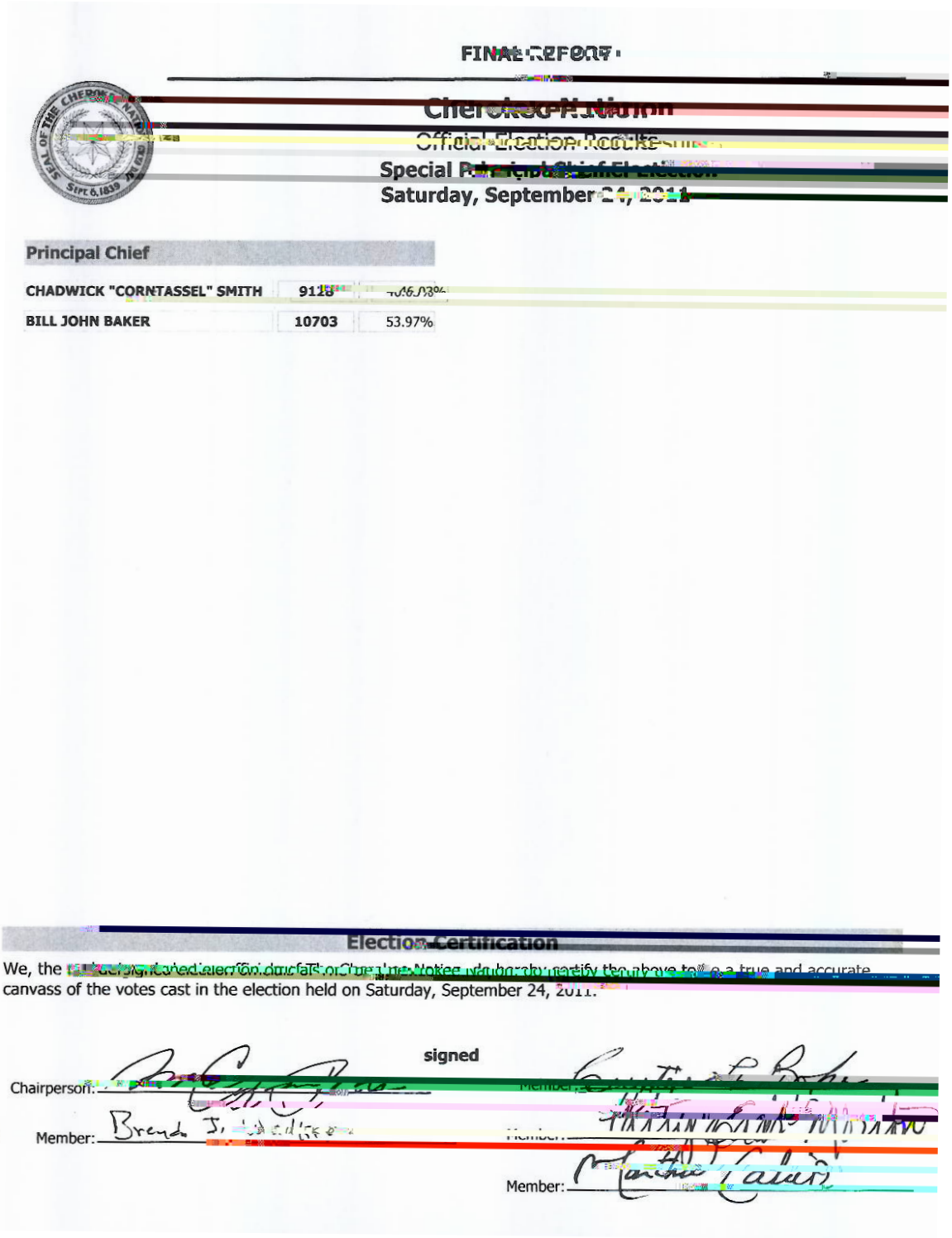
Comments

Instructions: In the box below, please provide details of any complaints or irregularities that occurred at the polling station that you observed. You must provide explanation for any observation question to which you answered "NO". If additional space is required, please continue to the back of the form and/or attach additional sheets of paper to the report form.



2011 Special Election for Cherokee Nation Principal Chief

Appendix F
Election Results



FINAL REPORT

Cherokee Nation

Official Election Results

Special Referendum/Chief Election

Saturday, September 24, 2011

Principal Chief		
CHADWICK "CORNTASSEL" SMITH	9118	46.03%
BILL JOHN BAKER	10703	53.97%

Election Certification

We, the undersigned election officials of the Cherokee Nation, do hereby certify that we have made a true and accurate canvass of the votes cast in the election held on Saturday, September 24, 2011.

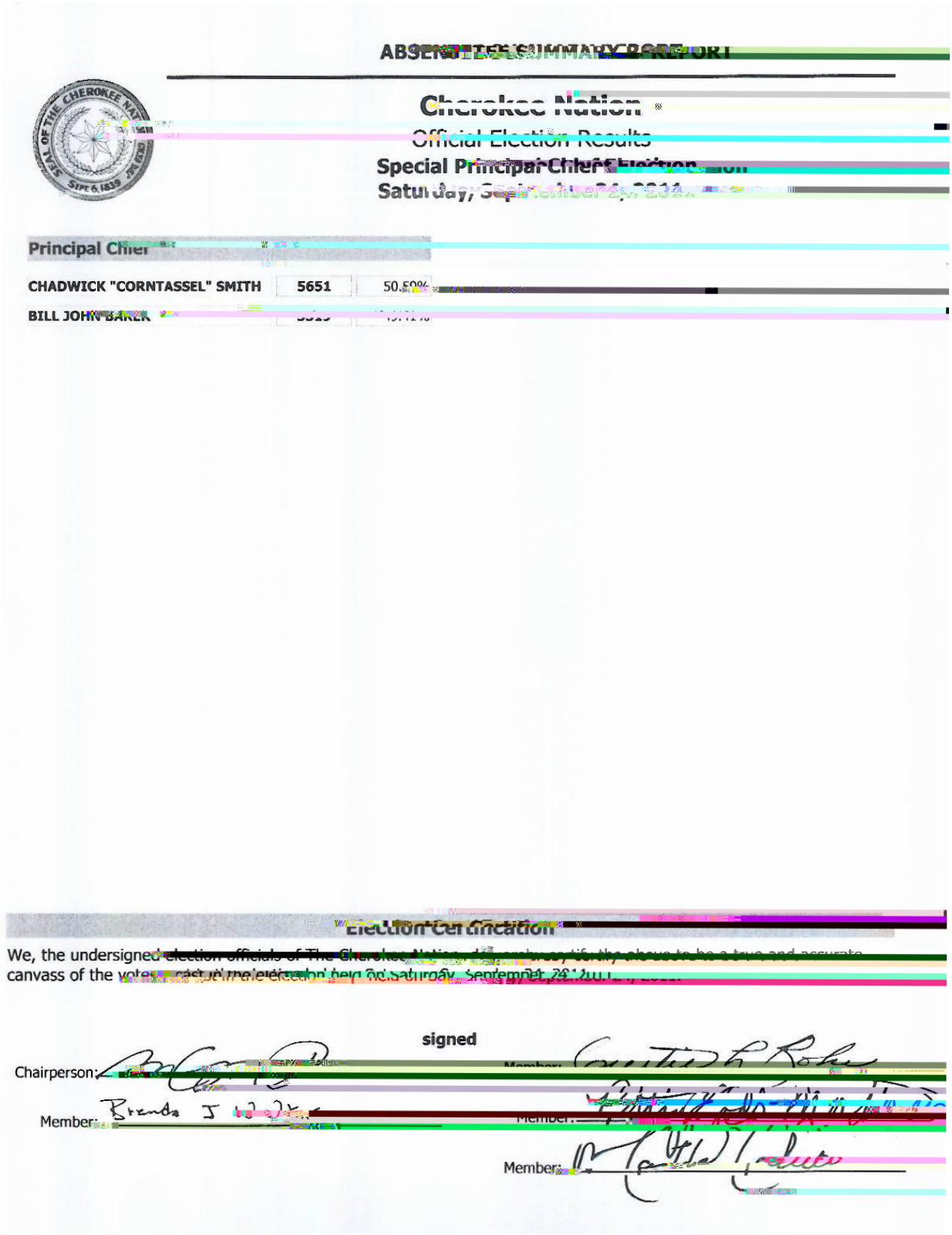
signed

Chairperson:

Member:

Member:

Member:



ABSENTEE SUMMARY REPORT

Cherokee Nation

Official Election Results

Special Principal Chief Election

Saturday, September 24, 2011

Principal Chief

CHADWICK "CORNTASSEL" SMITH	5651	50.59%
BILL JOHN BAKER	[illegible]	[illegible]

Election Certification

We, the undersigned election officials of The Cherokee Nation, do hereby certify the above to be a true and accurate canvass of the votes cast in the election held on Saturday, September 24, 2011.

signed

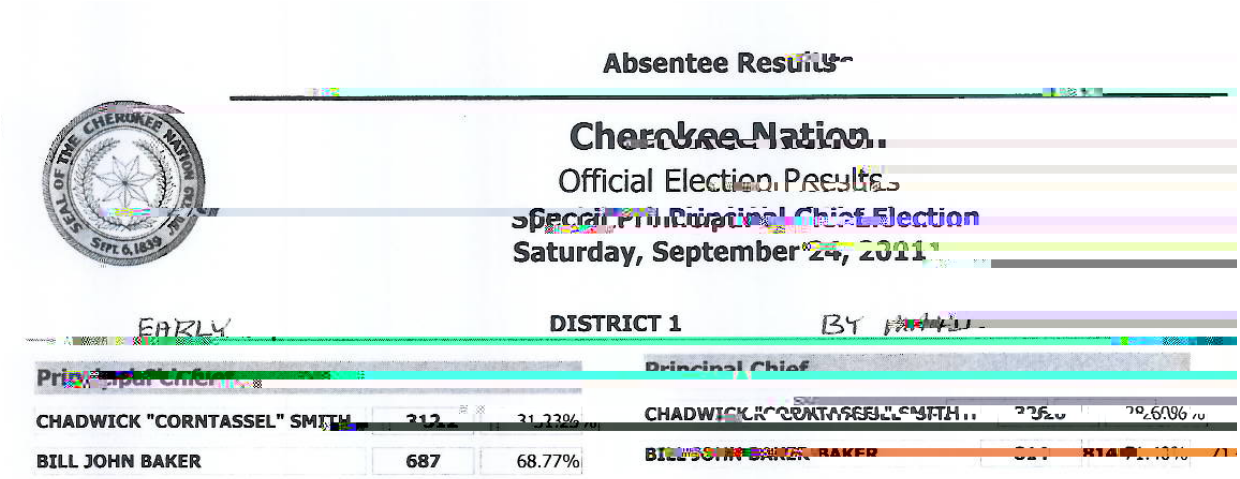
Chairperson:

Member:

Member:

Member:

Member:



Absentee Results

Cherokee Nation

Official Election Results

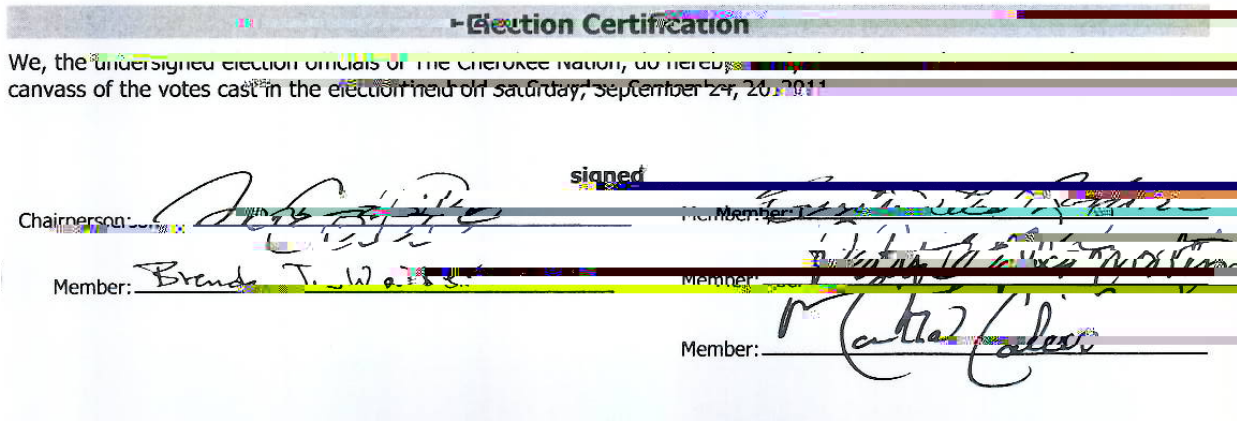
Special Principal Chief Election

Saturday, September 24, 2011

EARLY DISTRICT 1 BY

Principal Chief		
CHADWICK "CORNTASSEL" SMITH	312	31.23%
BILL JOHN BAKER	687	68.77%

Principal Chief		
CHADWICK "CORNTASSEL" SMITH	[illegible]	[illegible]
BILL JOHN BAKER	[illegible]	[illegible]



Election Certification

We, the undersigned election officials of The Cherokee Nation, do hereby [illegible] canvass of the votes cast in the election held on Saturday, September 24, 2011

signed

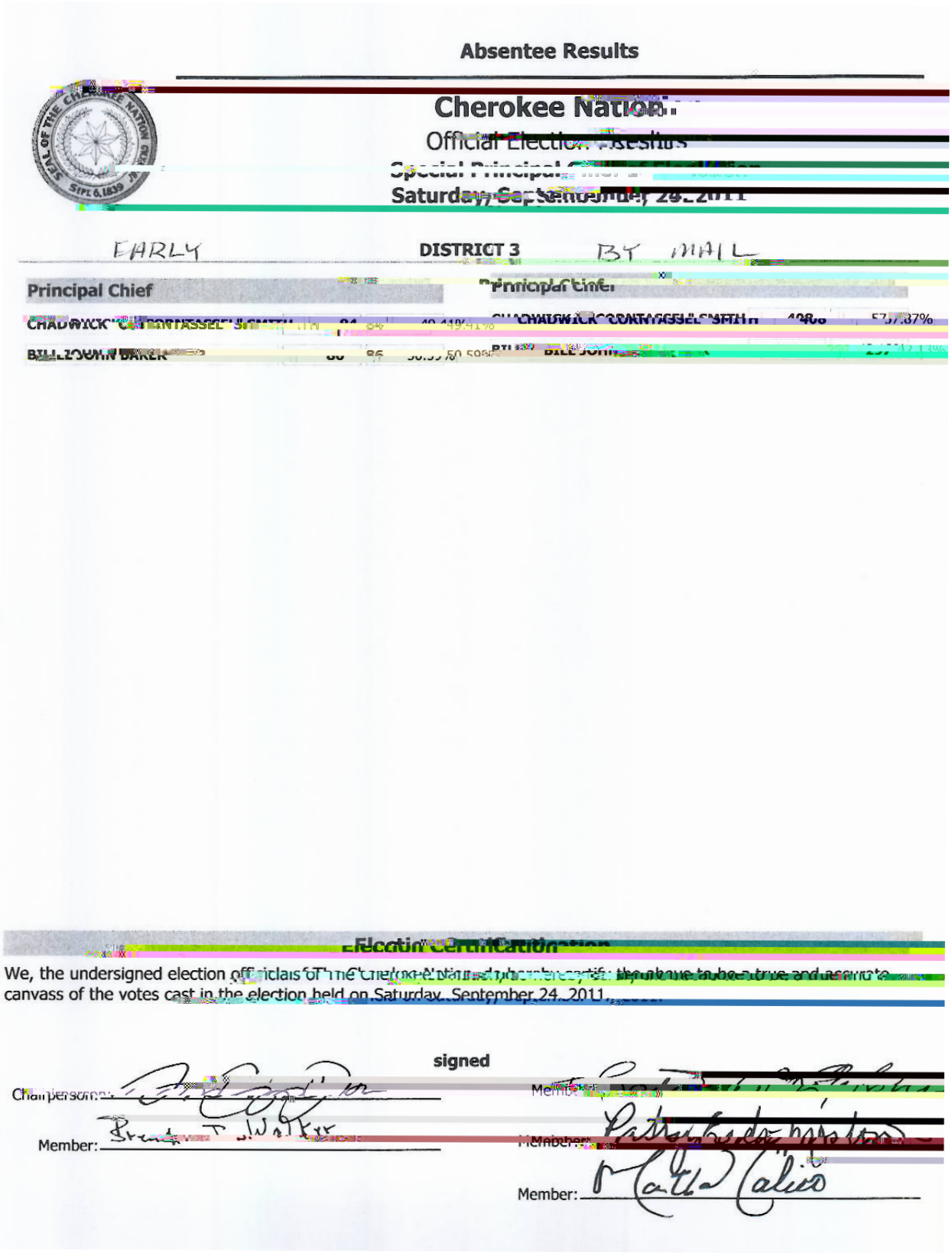
Chairperson:

Member: Brenda J. Walkingstick

Member:

Member:

Member:



Absentee Results

Cherokee Nation

Official Election Results

Special Principal Chief

Saturday, September 24, 2011

EARLY DISTRICT 3 BY MAIL

Principal Chief				Principal Chief		
CHADWICK "CHAD" SMITH	84	49.41%		[illegible]	498	57.37%
BILL JOHN BAKER	86	50.59%		BILL JOHN [illegible]	370	42.63%

Election Certification

We, the undersigned election officials of the Cherokee Nation, hereby certify the above to be a true and accurate canvass of the votes cast in the election held on Saturday, September 24, 2011.

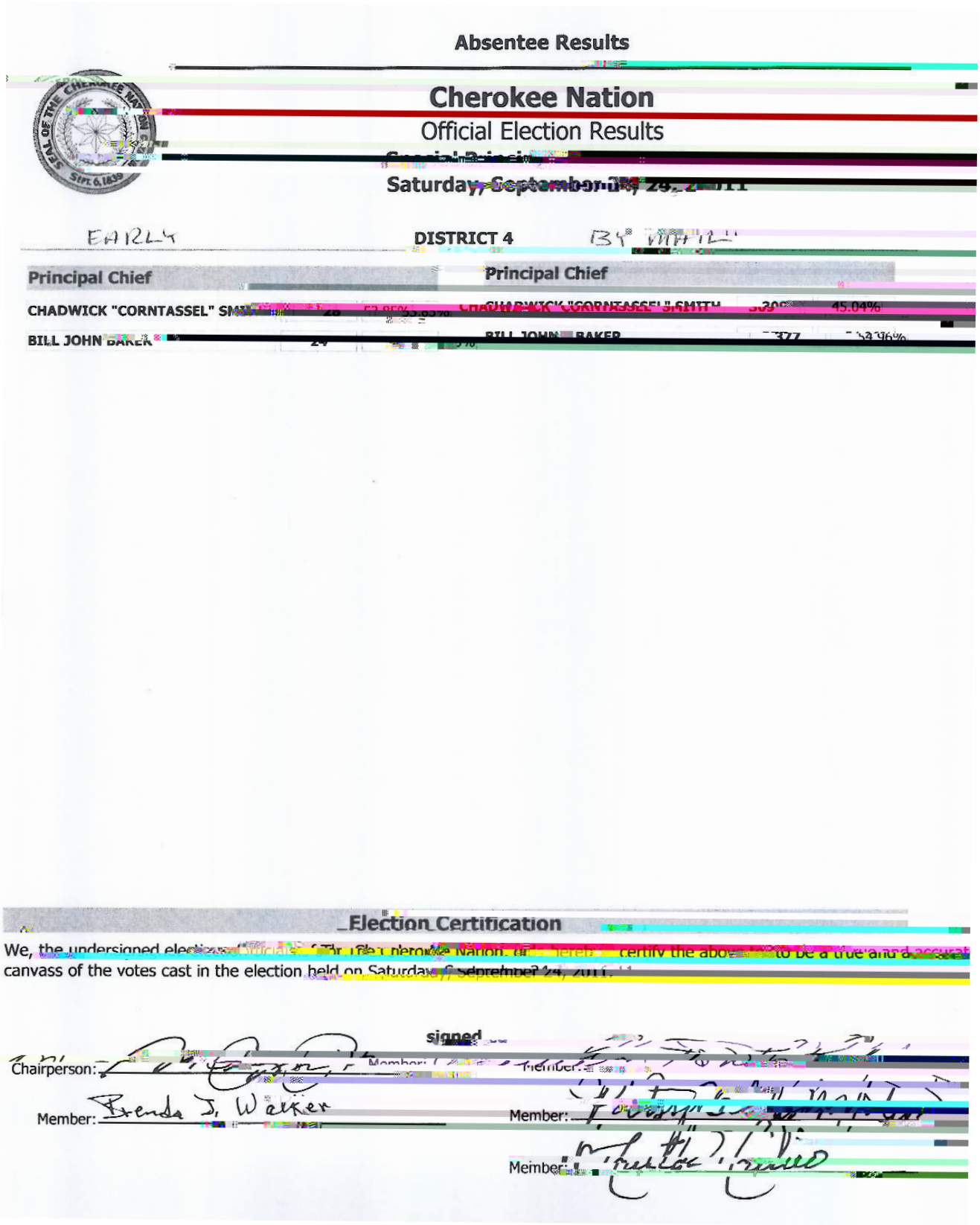
signed

Chairperson:

Member:

Member:

Member:



Absentee Results

Cherokee Nation

Official Election Results

Saturday, September 24, 2011

EARLY DISTRICT 4 BY MAIL

Principal Chief			Principal Chief		
CHADWICK "CORNTASSEL" SMITH	28	53.85%	CHADWICK "CORNTASSEL" SMITH	309	45.04%
BILL JOHN BAKER	24	46.15%	BILL JOHN BAKER	377	54.96%

Election Certification

We, the undersigned election officials for the Cherokee Nation, do hereby certify the above to be a true and accurate canvass of the votes cast in the election held on Saturday, September 24, 2011.

signed

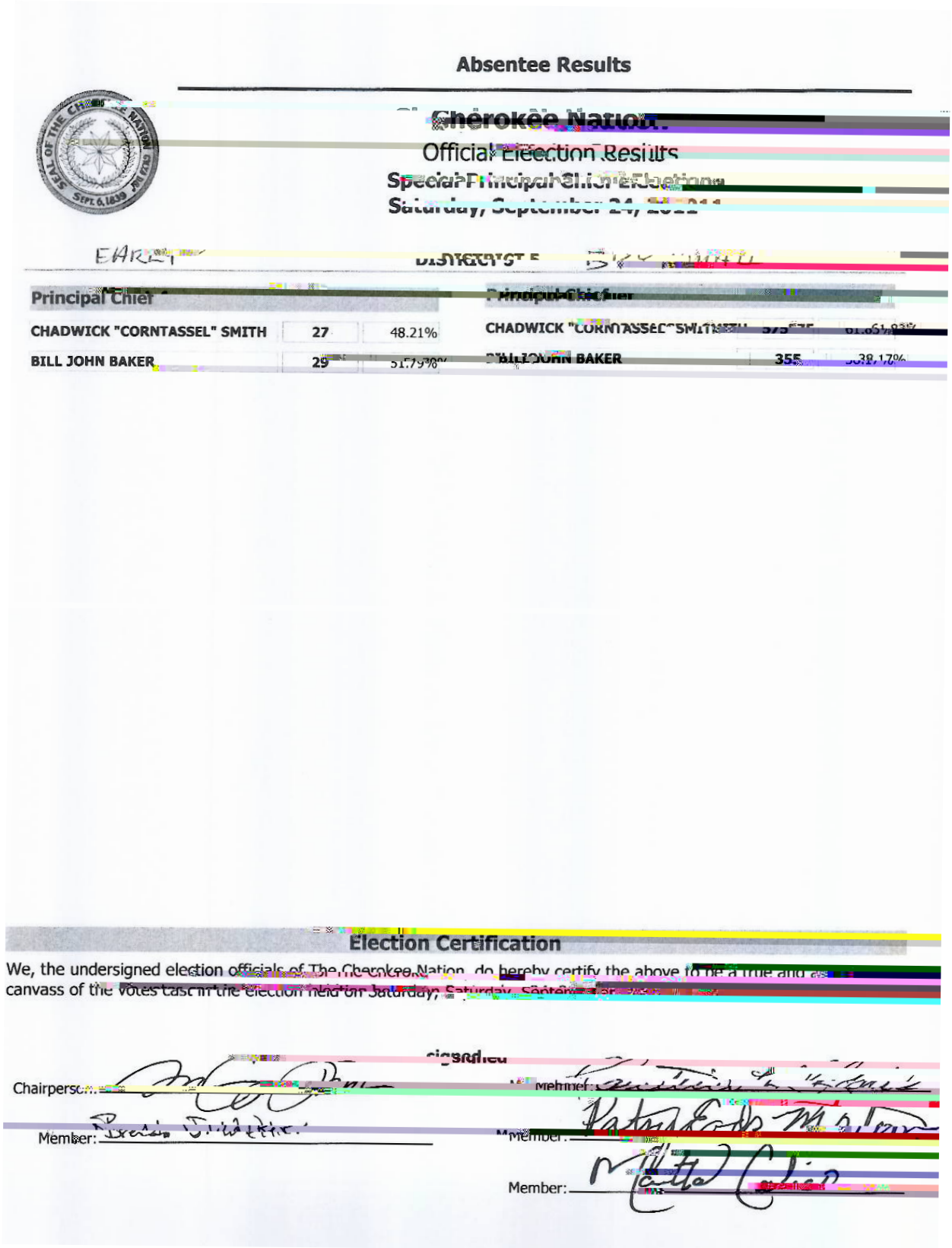
Chairperson:

Member:

Member:

Member: Brenda J. Walker

Member:



Absentee Results

Cherokee Nation

Official Election Results

Special Principal Chief Election

Saturday, September 24, 2011

EARLY

DISTRICT 5

Principal Chief			Principal Chief		
CHADWICK "CORNTASSEL" SMITH	27	48.21%	CHADWICK "CORNTASSEL" SMITH	575	61.83%
BILL JOHN BAKER	29	51.79%	BILL JOHN BAKER	355	38.17%

Election Certification

We, the undersigned election officials of The Cherokee Nation, do hereby certify the above to be a true and accurate canvass of the votes cast in the election held on Saturday, September 24, 2011.

Signed

Chairperson:

Member:

Member:

Member:

2011 Special Election for Cherokee Nation Principal Chief

Absentee Results

Cherokee Nation

Official Election Results

Special Principal Chief Election

Saturday, September 24,

EARLY

AT LARGE

Principal Chief		
CHADWICK "CORNTASSEL" SMITH	76	35.85%
BILL JOHN BAKER	136	64.15%

Principal Chief		
CHADWICK "CORNTASSEL" SMITH	3168	62.20%
BILL JOHN BAKER	1910	37.80%

Election Certification

We, the undersigned election officials of the Cherokee Nation, do hereby certify that we have reviewed the canvass of the votes cast in the election held on Saturday, September 24, 2011

signed

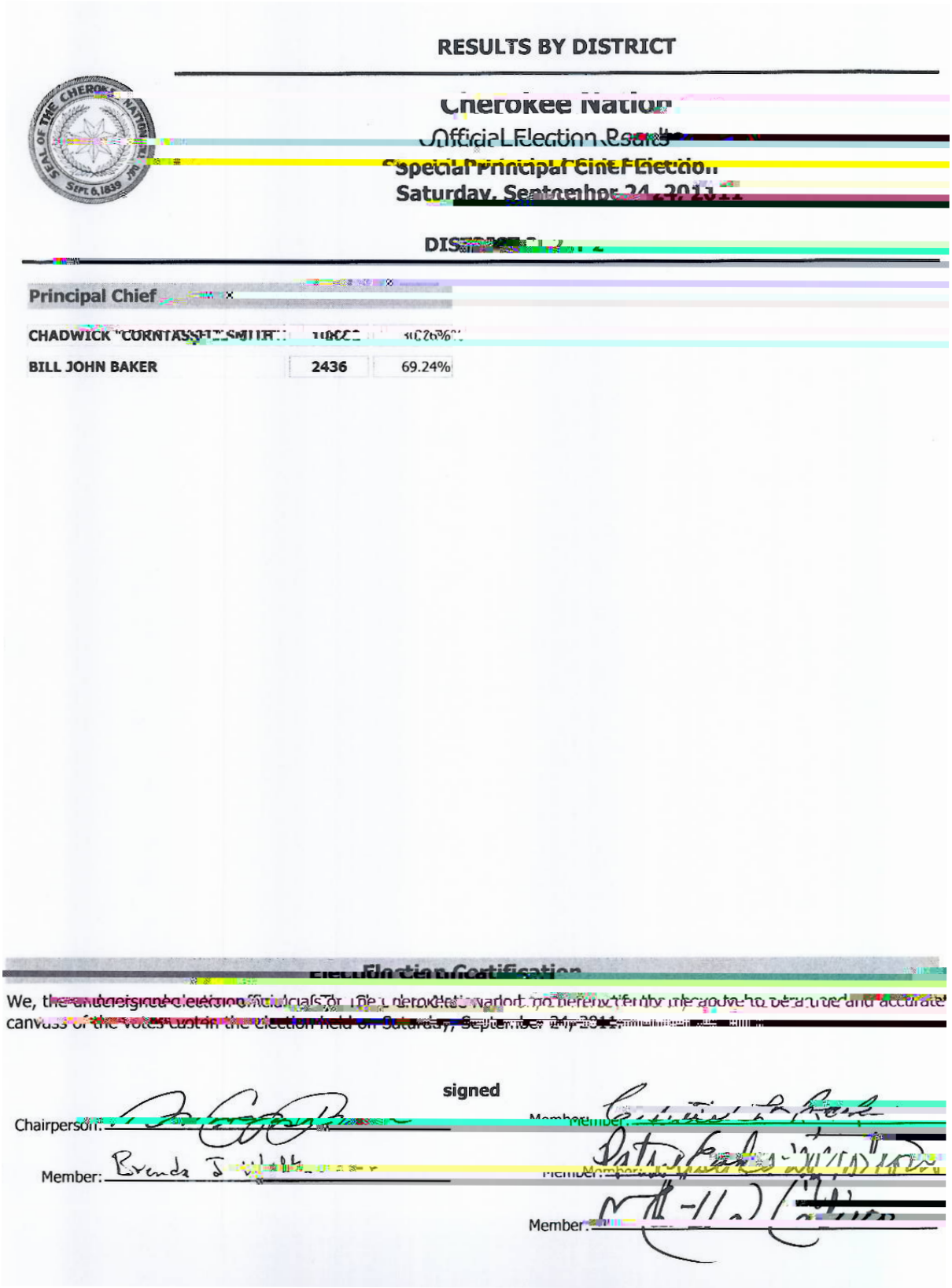
Chairperson:

Member: Brenda J. Walker

Member:

Member:

Member:



RESULTS BY DISTRICT

Cherokee Nation

Official Election Results

Special Principal Chief Election

Saturday, September 24, 2011

DIS[illegible]

Principal Chief		
CHADWICK "CORNTASSEL" SMITH	[illegible]	[illegible]
BILL JOHN BAKER	2436	69.24%

Election Certification

We, the undersigned election officials for the Cherokee Nation, do hereby certify the above to be a true and accurate canvass of the votes cast in the election held on Saturday, September 24th, 2011.

signed

Chairperson:

Member: Brenda J [illegible]

Member:

Member:

Member:

RESULTS BY DISTRICT

Cherokee Nation

Official Election Results

Special Principal Chief Election

Saturday, September 24, 2011

DISTRICT 4

Principal Chief

CHADWICK "CORNTASSEL" SMITH 989 42.11%

BILL JOHN BAKER 1358 57.80%

Election Certification

We, the undersigned election officials of the Cherokee Nation, do hereby certify the above to be a true and accurate canvass of the votes cast in the election held on Saturday, September 24, 2011.

Signed:

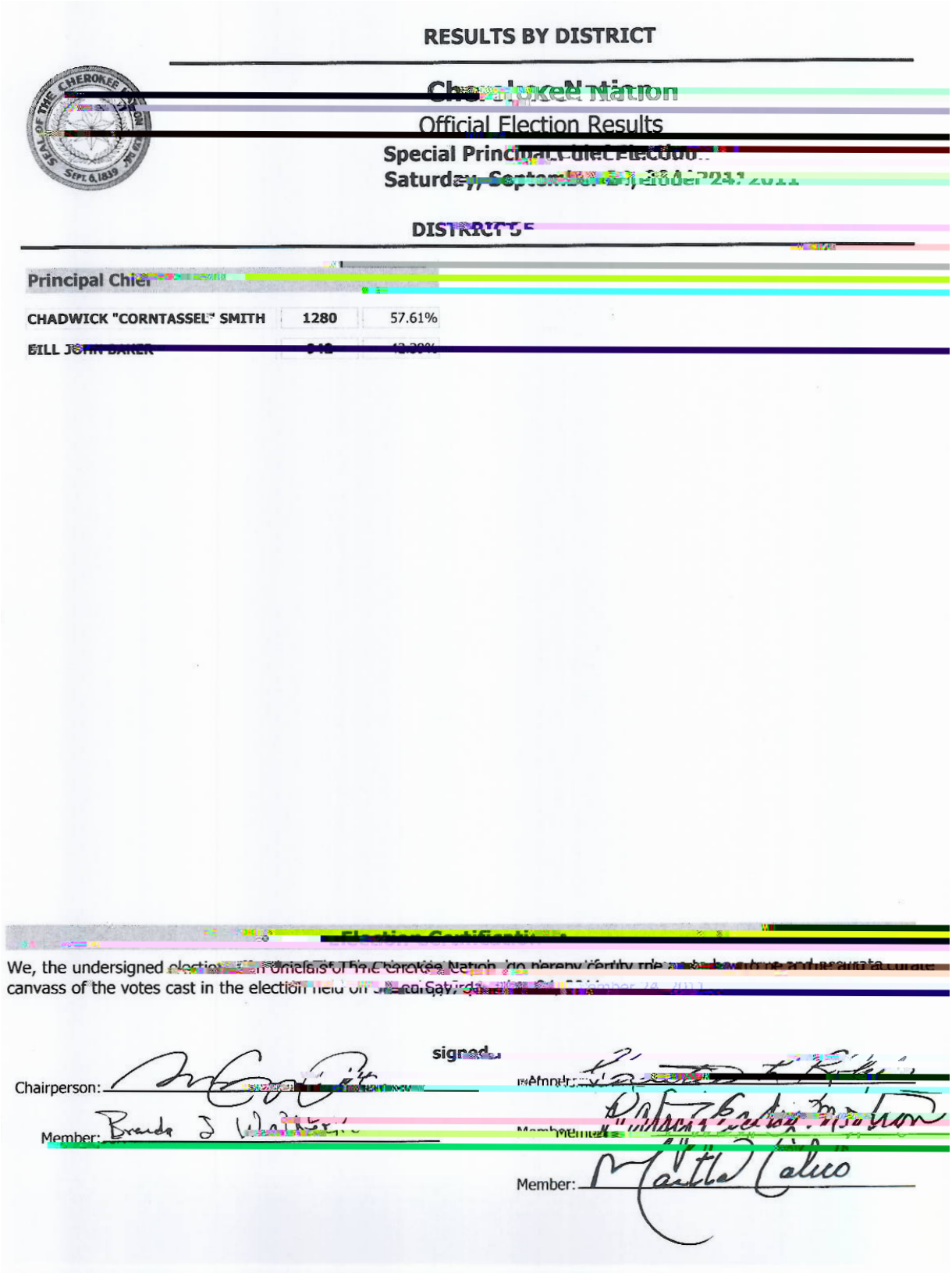
Chairperson:

Member: Brenda J. Walker

Member:

Member:

Member:



RESULTS BY DISTRICT

Official Election Results

DISTRICT 5

Principal Chief		
CHADWICK "CORNTASSEL" SMITH	1280	57.61%
BILL JOHN BAKER	942	42.39%

We, the undersigned election officials of the Cherokee Nation, do hereby certify the above and foregoing is a true and accurate canvass of the votes cast in the election held on Saturday,

signed

Chairperson:

Member:

Member:

The Carter Center at a Glance

Overview: The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A nongovernmental organization, the Center has helped to improve life for people in more than 70 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production.

Accomplishments: The Center has observed more than 85 elections in 34 countries; helped farmers double or triple grain production in 15 African countries; worked to prevent and resolve civil and international conflicts worldwide; intervened to prevent unnecessary diseases in Latin America and Africa; and strived to diminish the stigma against mental illnesses.

Budget: $96.0 million 2011–2012 operating budget.

Donations: The Center is a 501(c)(3) charitable organization, financed by private donations from individuals, foundations, corporations, and international development assistance agencies. Contributions by U.S. citizens and companies are tax-deductible as allowed by law.

Facilities: