



Indian Affairs - Office of Public Affairs

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This press release is being issued to clarify a release of May 2 pertaining to the lowering of the voting age for tribal elections.

The recent amendment to Part 52 of Title 25 of the Code of Federal Regulations, to lower the voting age from 21 to 18, did in no way affect the voting age provided in tribal governing documents for voting in tribal elections to elect tribal representatives. Instead, the lowered voting age is applicable only to those elections authorized by the Secretary and conducted pursuant to his regulations under the authorities given him by the Indian Reorganization Act of 1934. Such elections are, therefore, Federal elections and are limited to those pertaining to the adoption or amendment of the governing documents of those tribes that have chosen to organize under the provisions of the Indian Reorganization Act.

The regulations now conform with the 26th amendment to the U. S. Constitution which hold, in effect, that no person 18 years of age or more shall be denied the right to vote in federally authorized elections.

Four sections were changed to reflect the lower voting age.

The regulations were also amended to eliminate the requirement that the Election Board require a return receipt when notifying each adult tribal member not living on the reservation that he must register to participate in elections called by the Secretary of the Interior. It is no longer necessary to establish proof of delivery of the notice since the U.S. Postal Service has its system for recording the delivery of certified mail, and such information is available from its records.

<https://www.bia.gov/as-ia/opa/online-press-release/clarification-issued-lower-voting-age-regulation>