CONSTITUTION AND BYLAWS
OF THE
DELAWARE TRIBE OF WESTERN OKLAHOMA

PREAMBLE

Invoking the guidance of Almighty God, we the Delaware Tribe of Western Oklahoma, with faith in the purposes of our Supreme Being, with pride in our ancient heritage and with the determination to promote, through our united effort, the general well-being of our tribe and to secure unto our tribe and tribal descendants the rights, powers and privileges provided by the laws of the United States of America, adopt the following constitution.

ARTICLE I - NAME

The name of this organization shall be the Delaware Tribe of Western Oklahoma.

ARTICLE II - PURPOSE

The purpose of the tribal organization shall be, through united effort, to promote the economic, moral, cultural, educational, and health status of the Delaware Tribe; to seek and insure assistance of the United States of America; the State of Oklahoma in carrying out mutual programs to accomplish these purposes in concert and to in no way interfere with or otherwise influence any individual member.

ARTICLE III - MEMBERSHIP OF TRIBE

Section 1. The membership of the Delaware Tribe of Western Oklahoma shall consist of the following persons; provided they have not received land or money by virtue of having been enrolled as members of another Indian tribe:

(a) Those persons who prior to the ratification of this constitution and bylaws were recognized as members or were entitled to membership in accordance with the provisions of the Membership Resolution effective July 30, 1957, and subsequently amended December 6, 1969, which includes:

(1) All living persons of Delaware Indian blood whose names appear or were entitled to appear on the official census roll of January 1, 1940;
(2) All living persons of Delaware Indian blood born between January 1, 1940, and July 30, 1957;

(3) All living persons born after July 30, 1957, who are one-eighth (1/8) or more Delaware Indian blood and one of whose parents is a member of the Delaware Tribe of Indians of Western Oklahoma.

(b) All persons born on or after the effective date of this constitution and bylaws, both of whose natural parents are members of the Delaware Tribe of Western Oklahoma.

(c) All living persons born after the effective date of this constitution and bylaws who file applications for enrollment and who are one-eighth (1/8) degree or more Delaware Indian blood and one of whose natural parents is a member of the Delaware Tribe of Western Oklahoma and who are admitted to membership by a majority vote of the tribal members in general council.

Sec. 2. Degree of Indian blood shall be computed from the approved January 1, 1940, census roll as corrected.

Sec. 3. Any person who applies for membership who otherwise qualifies for membership but who has been enrolled as a member of another Indian tribe may be enrolled as a member of the Delaware Tribe of Western Oklahoma; provided he has not shared in land or money as a member of another tribe; and provided further that he relinquishes in writing his membership in the other Indian tribe and; provided further, that such applicant is admitted to membership by a majority vote of the tribal members in general council.

Sec. 4. The executive committee shall appoint a membership committee composed of tribal members who are not members of the executive committee which shall have the responsibility of preparing and maintaining the current membership roll consistent with the provisions of this article.

Sec. 5. The tribe may at any time correct the official census roll dated January 1, 1940, approved by the Commissioner of Indian Affairs on February 3, 1969, such corrections subject to the approval of the Secretary of the Interior or his authorized representative.

Sec. 6. The executive committee shall have power to take necessary actions subject to approval by the Secretary of the Interior, covering future membership.
ARTICLE IV - GENERAL COUNCIL

The membership of the general council of the Delaware Tribe of Western Oklahoma shall consist of all members of the tribe eighteen (18) years of age and older.

ARTICLE V - EXECUTIVE COMMITTEE

Section 1. Composition. The officers of the tribe shall be a president, vice-president, secretary, treasurer, and two committee members who together shall comprise the executive committee.

Sec. 2. Term of office for each officer shall be four (4) years and until a successor is duly elected and seated. No person shall serve more than two (2) consecutive terms in a particular position on the executive committee.

ARTICLE VI - POWERS

The executive committee shall have full authority to act on behalf of the tribe in all matters upon which the tribe is empowered to act now or in the future. Such powers may be exercised subject to any restrictions contained in the United States Constitution or any Federal or State statutes.

ARTICLE VII - ELECTIONS

Section 1. First Election. All terms of office for the executive committee members, incumbent at the time this constitution and bylaws becomes effective, shall expire at the June 1973 annual meeting. At the election held in conjunction with that meeting, a system of staggered terms of office shall be established as follows:

A president and treasurer shall be elected for four (4) year terms; a vice-president shall be elected for three (3) years; the terms for a secretary and one (1) committee member shall expire after two (2) years; and the remaining committee member shall serve a one (1) year term. In each case, those elected as stated above shall serve the specified term or until their successors are duly elected and seated. Thereafter, there shall be annual elections in June and all terms shall be four (4) years in length.

Sec. 2. Regular elections to fill vacancies as terms expire on the executive committee, shall be held at the regular annual meeting of the general council in June. Persons elected to office shall serve four (4) year terms unless earlier removed or recalled and until their successors are duly elected and seated.

See Amendment 5-7-76
Sec. 3. **Election Ordinance.** All tribal elections, including the first one under this constitution, shall be conducted in accordance with an election ordinance, consistent with this constitution and bylaws, which shall be enacted by the executive committee. Such ordinance shall provide for secret balloting, absentee voting, voter registration, nomination of candidates in advance of election date, an impartial election committee selected from outside the executive committee that shall be responsible for conducting all tribal elections and a procedure for resolving election disputes. Further, it shall require that no write-in votes be accepted in any tribal election. Provisions shall also be included regarding the conduct of recall and referendum elections and a uniform procedure for submitting petitions.

Sec. 4. **Voter Qualifications.** Any member of the tribe shall be qualified to vote, provided he is at least eighteen (18) years of age on the date of the election and he has duly registered.

Sec. 5. **Qualifications of Candidates.** Any member of the tribe, who will be at least twenty-one (21) years of age on the date of the election shall qualify as a candidate for membership on the executive committee, or subordinate body by election or appointment, except those persons previously convicted in any court of competent jurisdiction of a felony, or any member who is delinquently indebted to the tribe.

Sec. 6. **Filling of Vacancies.** Any vacancy which occurs in the membership of the executive committee shall be filled for the unexpired term at the next duly called meeting of the general council.

**ARTICLE VII - MEETINGS**

Section 1. Annual meetings of the general council shall be held on the third Saturday in June for the purpose of electing tribal leaders, receiving reports and transacting any other business which may come regularly before the council. Should the executive committee determine that it is not possible or appropriate to hold such meetings on the specified date, it shall then be held within thirty (30) days following, on a date to be determined by the executive committee; provided, that at least ten (10) days' notice shall be given of such meeting.

Sec. 2. Special meetings of the general council may be called at the discretion of the president, and shall be called by him upon his receipt of a written request signed by twenty-five (25) members of the council, or upon written request of at least three (3) officers of the tribe. Should the president refuse to call such meetings for the date and time requested, any three (3) tribal officers shall be empowered to do so.
Sec. 3. Notice of Special General Council Meeting. The principal object of a special general council meeting must be stated in the notification and may include the words "and for the transaction of other business that may be presented." Unless these words are added, no business may be transacted except for the object stated in the notice.

Sec. 4. All meetings of executive committee may be called by the president at his discretion and shall be called by him for the date and time requested upon the written request of any three (3) members of the executive committee. Should he refuse to call the requested meeting, any three (3) members of the executive committee shall be empowered to do so.

ARTICLE IX - VACANCIES

Failure to attend three (3) consecutive duly called executive committee meetings, unless excused by a majority of the executive committee, shall automatically result in loss of office for the individual concerned.

The resulting vacancy, or a vacancy created by death, resignation, recall or removal, shall be filled for the unexpired term in accordance with the provisions of Article VII, Section 6, of this constitution and bylaws.

ARTICLE X - POPULAR PARTICIPATION IN GOVERNMENT

Petitions for recall referendum and initiative must comply with procedures set forth in the election ordinance as stated in Article VII, Section 3, of this constitution.

Section 1. Recall. Upon receipt of a petition signed by at least forty (40) of the tribe's registered voters it shall be the duty of the president to call and conduct within fifteen (15) days, a special meeting of the general council to consider the recall of a member of the executive committee. Such meeting is subject to quorum provisions. Only one (1) member of the committee shall be considered for recall at any given recall meeting. Once an individual is subjected to recall proceedings, he shall not again be considered for such action until at least six (6) months have passed.

Sec. 2. Referendum and Initiative. Upon receipt of a petition signed by at least forty (40) of the tribe's registered voters, it shall be the duty of the president to call and conduct within fifteen (15) days, a special meeting of the general council for the purpose of presenting to the voters for their determination any issue or question. The decision of the majority of those voting shall be binding on the executive committee, provided a quorum is present.
ARTICLE XI - REMOVAL

The executive committee shall enact an ordinance providing for the removal of members of that body. Included shall be procedures for the accused to confront his accusers and speak on his behalf in answer to a written statement of charges at a special executive committee meeting, called for that purpose. The accused shall be provided with such written charges at least fifteen (15) days in advance of the removal meeting.

ARTICLE XII - BILL OF RIGHTS

Section 1. All members of the tribe shall enjoy without hindrance, freedom of worship, conscience, speech, press, assembly and association.

Sec. 2. This constitution shall not in any way alter, abridge or otherwise jeopardize the rights and privileges of the members of the tribe as citizens of the State of Oklahoma or the United States.

Sec. 3. The individual property rights of any member of the tribe shall not be altered, abridged or otherwise affected by the provisions of this constitution and bylaws without the consent of such individual members.

Sec. 4. The enumeration of any rights in this Article shall not be interpreted to limit the rights otherwise guaranteed by the Indian Civil Rights Act of 1968 (25 USCA 1302).

ARTICLE XIII - AMENDMENTS

Amendments to this constitution and bylaws may be proposed by a majority vote of the executive committee or by a petition signed by at least forty (40) registered voters of the tribe. If approved by the Commissioner of Indian Affairs, the amendment shall be submitted to the qualified voters of the tribe and shall be effective when ratified by a majority of those voting in an election called by the Commissioner of Indian Affairs. A petition for such purpose must comply with 25 CFR 53.

BYLAWS

ARTICLE XIV - DUTIES OF OFFICERS

Section 1. The president shall preside at all meetings of the general council and of the executive committee. He shall have general supervision of the affairs of the general council and of the executive committee and shall perform all duties associated with the office of president.
Sec. 2. The vice-president in the absence of the president shall perform the duties of that office. He shall serve as ex-officio member of all committees created by the executive committee and shall represent the president at outside meetings or at other occasions when called upon to do so.

Sec. 3. The secretary shall keep an accurate account of all proceedings and official records of the council and of the executive committee, and shall file copies with the Superintendent of the Anadarko Agency. He shall be responsible for the prompt and efficient handling of all correspondence pertaining to the business of the council and executive committee. All official records of the secretary shall be open at reasonable times to the inspection of council members in the presence of the secretary. The secretary shall keep an accurate list of all general council members, and in the absence of the president and vice-president, shall preside at meetings of the general council or executive committee.

Sec. 4. The treasurer shall be the custodian of all funds in possession of the tribe from any source. He shall keep an accurate record of all funds and shall make disbursements in accordance with a properly executed resolution of the executive committee. The treasurer shall keep all tribal monies entrusted to his care in special bank accounts. At any time that such an account shall amount to fifty dollars ($50) or more, he shall file a bond satisfactory to the executive committee and the Commissioner of Indian Affairs. The cost of such bond shall be paid out of tribal money. The accounts and records of the treasurer shall be open at reasonable times for inspection by council members in the presence of the treasurer. The books of the treasurer shall be subject to audit or inspection at the discretion of the executive committee or the Commissioner of Indian Affairs.

Sec. 5. The committeemen shall perform those specific duties which shall be set forth in a resolution of the executive committee.

Sec. 6. Transfer of Records. At the expiration of their term of office, all officers shall turn over all tribal records and funds in their possession to their successors.

ARTICLE XV - CONDUCT OF MEETINGS

Section 1. Place. All regular and special meetings of the general council and the executive committee shall be held at the Anadarko Agency unless otherwise designated in the notice of such meeting.

Sec. 2. All meetings shall be conducted in accordance with Robert's Rules of Order, unless otherwise specified in this constitution and bylaws.
Sec. 3. Quorum. Twenty (20) members of the general council shall constitute a quorum. No business, other than the election of officers to provide for continuity of government, shall be transacted by the general council, unless a quorum is present. Four (4) members of the executive committee shall constitute a quorum to transact any business.

ARTICLE XVI - ADOPTION

This constitution and bylaws shall be effective when approved by the Secretary of the Interior and ratified by a majority of those adult members of the tribe who cast ballots in an election authorized by the Secretary of the Interior.
APPROVAL

I, W. L. Rogers, Deputy Assistant Secretary of the Interior do hereby approve the foregoing Constitution and Bylaws of the Delaware Tribe of Western Oklahoma.

Approval Recommended:

(Sgd) Raymond V. Butler
Acting Director of Community Services

(Sgd.) W. L. Rogers
Deputy Assistant Secretary of the Interior

Washington, D. C.
Date: FEB 13 1973
CERTIFICATE OF RESULTS OF ELECTION

Pursuant to an order of February 13, 1973, by the Deputy Assistant Secretary of the Interior, the attached Constitution and Bylaws of the Delaware Tribe of Western Oklahoma was submitted for ratification to the eligible voters of the Delaware Tribe and was on April 21, 1973 duly ratified by a vote of 119 for, and 7 against, in an election duly called for that purpose.

Certifying Officer
Superintendent, Anadarko Agency

Chairman, Election Board

Member, Election Board

Member, Election Board

Member, Election Board
RESOLUTION

WHEREAS, the Delaware Tribe of Indians of Western Oklahoma have been denied by the Secretary of the Interior the right to organize and avail itself of the provisions of the Oklahoma Welfare Act of June 26, 1936, and

WHEREAS, the Delaware Tribe of Indians of Western Oklahoma has and desires to continue to maintain its identity, customs and language, and

WHEREAS, the Delaware Tribe of Indians of Western Oklahoma desires to form an Executive Committee to carry on the business functions and affairs of the Tribe between meetings of the General Council.

BE IT RESOLVED, that there is hereby established an Executive Committee of the Delaware Tribe of Indians of Western Oklahoma to be composed of six (6) adult members of this tribe, and

BE IT FURTHER RESOLVED, that there be delegated to said Executive Committee full authority to act between meetings of the General on behalf of the tribe in all matters upon which the General Council is empowered to act and any authority exercised under the authority of this resolution shall not require concurrence or ratification of the General Council, and four (4) members of the Executive Committee shall constitute a quorum for the transacting of tribal business, and

BE IT FURTHER RESOLVED, that members of said Executive Committee shall be elected by the General Council on the first Saturday in the month of January of each year and such committee shall serve for a term of one year or until their successors are elected. Committee shall be elected at the annual meeting of the General Council for that purpose under such rules and regulations as the General Council has adopted for that particular meeting, and

BE IT FURTHER RESOLVED, that the members of said Executive Committee be empowered to elect from within their membership a President, Vice President, Secretary and/or a Treasurer, who shall hold offices until the succeeding annual election meeting, and
BE IT FURTHER RESOLVED, that any member of the Tribe 21 years of age and over may vote in any annual election, and that twenty (20) voting members shall constitute a quorum at any annual election or other General Council meeting.

CERTIFICATION

I, Henry Chisholm, President of the Delaware Tribe of Indians of Western Oklahoma certify that the above resolution was passed at a General Council meeting held at Anadarko, Oklahoma, on the 5 day of July, 1958, at which meeting there were 22 voting members present who voted 22 for and 0 against the resolution.

(Sgd) Henry Chisholm

The foregoing resolution which was passed on July 5, 1958, by the General Council of the Delaware Tribe of Indians of Western Oklahoma is hereby given official recognition as the governing document of the Tribe.

(Sgd) Fred H. Massey
Acting Deputy Commissioner

Washington, D. C., August 29, 1958
(Date)
Mr. Arthur L. Thomas
President, Delaware Executive Committee

Dear Mr. Thomas:

Thank you for sending us copies of Resolution No. 7-68 adopted by the General Council of the Delaware Tribe of Indians of Western Oklahoma on January 20, 1968.

Resolution No. 7-68 amends the tribe's election procedures by changing the date of tribal elections from the first Saturday in January to the first Saturday in June, commencing in 1969. The resolution also amends the terms of office of the executive committee officers. We agree with the Delaware Tribe's decision to stagger the terms of officers to provide continuity in the conduct of tribal business.

The Delaware Tribe's governing document does not require formal approval by this office. However, Resolution No. 7-68, duly adopted January 20, 1968, and effective as of that date, by the General Council of the Delaware Tribe of Indians of Western Oklahoma is hereby given official recognition as Amendment No. 1 to the tribe's governing document. Copies of this letter and of Resolution No. 7-68 should be made a permanent part of the tribe's organizational document.

Sincerely,

(Sgd.) Charles B. Rovin
Acting Assistant Commissioner

Enclosure

COPY    COPY    COPY    COPY    COPY    COPY
WHEREAS: The Delaware Tribe of Western Oklahoma is organized and has governing rules and regulations approved by the Commissioner of Indian Affairs, and

WHEREAS: The Delaware Tribe of Western Oklahoma, after much discussion pertaining to the election date of the first Saturday in the month of January of each year as prescribed in the original resolution approved August 19, 1958, which is silent on amendment provisions, under which the tribe functions, desires to change the date and,

WHEREAS: The Delaware Tribe of Western Oklahoma also desires to change the term of office for the election officers so that some will remain in office and there will not be a complete change each year for the proper handling of tribal affairs.

NOW BE IT RESOLVED, That the date of next election be the first Saturday in June, 1969, with the officers now elected, remaining in office until next election date, being the first Saturday in June, 1969,

BE IT FURTHER RESOLVED, THAT the election date will be the first Saturday of June of each year thereafter,

BE IT FURTHER RESOLVED, THAT the terms of the officers will be as follows: President, Secretary and One Councilman (to be designated at the June, 1969 election) will be elected for a term of two (2) years and the Vice-President, Treasurer and One Councilman will be elected for a term of one (1) year. The new terms of office will begin with the June, 1969 election date. Thereafter, all terms of office shall be for a period of two years or until a successor is duly elected.

CERTIFICATION

I, Jack McLane, Jr., President of the Delaware Tribe of Indians of Western Oklahoma, certify that the above resolution was passed at a General Council Meeting held in the Anadarko Area Office Conference Room, Anadarko, Oklahoma, on the 20th day of January, 1968, at which meeting there were 27 voting members present who voted 27 for and 0 against the above said resolution amending election rules and regulations.

Alene Martinez, Secretary

Date: 1-20-68

Jack McLane, Jr., President

Adopted this 20th day of January, 1968, by the Delaware Tribe of Western Oklahoma by a vote of 27 for and 0 against, there being 27 tribal members present.

Alene Martinez, Secretary

ATTEST:

Alene Martinez, Secretary

Approved:

Jack McLane, Jr., President
AMENDMENT
CONSTITUTION AND BY-LAWS
of the
DELAWARE TRIBE OF WESTERN OKLAHOMA

AMENDMENT I

Article III of the Constitution shall be amended in its entirety which shall read as follows:

ARTICLE III  
MEMBERSHIP OF TRIBE

Section 1. The membership of the Delaware Tribe of Western Oklahoma shall consist of the following persons; provided they have not received land or money by virtue of having been enrolled as a member of another Indian tribe:

(a) Those persons who prior to the ratification of this amendment qualified for membership under previous membership requirements.

(b) All persons of Delaware Indian blood who received an allotment of land pursuant to the provisions of the Act of March 2, 1895, (82 Stat. 876), shall be included as full blood members of the tribe.

(c) All living lineal descendants of individuals eligible for membership under the provisions of Section 1 (b) and Section 2 of the Article, who possess at least one-eighth (1/8) degree Delaware Indian blood and one of whose natural parents is a member of the Delaware Tribe of Western Oklahoma.

(d) All persons born on or after the effective date of this Constitution and Bylaws, both of whose natural parents are members of the Delaware Tribe of Western Oklahoma regardless of degree of Delaware Indian blood.

Section 2. All persons identified in Section 1 (b) of this Article shall be considered as possessing 4/4ths degree Delaware Indian blood for the purpose of computing eligibility of their descendants for membership under Section 1 (c) or 1 (d) of this Article. Brothers and sisters of Delaware Indian blood of all persons identified in Section 1 (b) shall likewise be considered as possessing 4/4ths degree Delaware Indian blood.

Section 3. Any person who applies for membership who otherwise qualifies for membership but who has been enrolled as a member of another Indian tribe may be enrolled as a member of the Delaware Tribe of Western Oklahoma; provided he has not shared in land or money as a member of another tribe;
and provided further that he relinquishes in writing his membership in the other Indian tribe and; provided further, that such applicant is admitted to membership by a majority vote of the tribal members in general council.

Section 4. The executive committee shall appoint a membership committee composed of tribal members who are not members of the executive committee which shall have the responsibility of preparing and maintaining the current membership roll consistent with the provisions of this Article.

Section 5. The executive committee shall have the power to prescribe rules and regulations covering future membership, including adoptions and the loss of membership, subject to the approval of the Commissioner of Indian Affairs or his authorized representative.
APPROVAL

I, Charles W. James, Area Director do hereby approve the foregoing Amendment I to the Constitution and By-Laws of the Delaware Tribe of Western Oklahoma.

Approval Recommended:

(Sgd) Charles V. Delaney
Acting Director,
Division of Indian Services

(SGD) CHARLES W. JAMES
Area Director

Anadarko, Oklahoma
Date: DEC 24 1975
CERTIFICATE OF RESULTS OF ELECTION

Pursuant to an order of Charles W. James, Area Director, the attached Amendment I to the Constitution and By-Laws of the Delaware Tribe of Western Oklahoma was submitted for ratification to the eligible voters of the Delaware Tribe and was on _3-6-76_, duly ratified by a vote of _92_ for, and _12_ against, in an election duly called for that purpose.

Certifying Officer
Superintendent, Anadarko Agency

Betty M. Bell
Chairman, General Election Board

Walter Smith
Secretary, General Election Board

Brenda Miller
Member, General Election Board

Herald L. Sanders
Member, General Election Board

Elsie Lee Blackard
Member, General Election Board
AMENDMENT
CONSTITUTION AND BYLAWS
of the
DELAWARE TRIBE OF WESTERN OKLAHOMA

AMENDMENT II

Sections 1 and 2 of Article VII of the Constitution and Bylaws of the Delaware Tribe of Western Oklahoma shall be amended in their entirety to read as follows:

ARTICLE VII - ELECTIONS

Section 1. Bi-annual Elections. Elections shall be held every two years with members being selected to fill three positions on the executive committee at each election. These bi-annual elections shall become effective in 1977. In order to effectively implement this procedure, the term of the executive committee member which is scheduled to expire in 1978 shall expire in 1977, and the term of the Vice President which is scheduled to expire in 1980 shall expire in 1979. All other terms of office of members of the executive committee incumbent at the time this amendment becomes effective shall remain unchanged.

Section 2. Date of Elections. Regular elections to fill vacancies as terms expire on the executive committee shall be held bi-annually, in odd-numbered years, at the regular annual meeting of the general council on the third Saturday in June. Persons elected to office shall serve four (4) years.

ARTICLE VIII - MEETINGS

Section 1, Article VIII - Meetings, shall be amended to read as follows:

Section 1. Annual meetings of the general council shall be held on the third Saturday in June for the purpose of receiving reports and transacting any other business which may come regularly before the council. Bi-annually in odd-numbered years an election to fill vacancies on the executive committee shall take place as part of the annual meeting. Should the executive committee determine that it is not possible or appropriate to hold such meetings on the specified date, it shall then be held within thirty (30) days following, on a date to be determined by the executive committee; provided, that at least ten (10) days' notice shall be given on such meeting.
APPROVAL

I, Charles W. James, Area Director, do hereby approve the foregoing Amendment II to the Constitution and Bylaws of the Delaware Tribe of Western Oklahoma.

Approval Recommended:

(Sgd) Charles V. Delaney
Director,
Division of Indian Services

(SGD) CHARLES W. JAMES
Area Director

nadarho, Oklahoma

Date: MAY 7 1976
CERTIFICATE OF RESULTS OF ELECTION

Pursuant to an order of Charles W. James, Area Director, the attached Amendment II to the Constitution and Bylaws of the Delaware Tribe of Western Oklahoma was submitted for ratification to the eligible voters of the Delaware Tribe and was on June 19, 1976, duly rejected by a vote of 97 for, and 5 against, in an election duly called for that purpose.

[Signature]
Certifying Officer
Superintendent, Anadarko Agency

Betty M. Bax
Chairman, General Election Board

Elizabeth Blackwell
Member, General Election Board

Bernad Moffen
Member, General Election Board

Marceline Hensley
Member, General Election Board
AMENDMENT
CONSTITUTION AND BYLAWS
of the
DELAWARE TRIBE OF WESTERN OKLAHOMA

AMENDMENT III

Section 3, Article XIV - Duties of Officers, shall be amended to read as follows:

Section 3. The Secretary shall keep an accurate account of all proceedings and official records of the council and of the executive committee, and shall file copies in the tribal office. He shall be responsible for the prompt and efficient handling of all correspondence pertaining to the business of the council and executive committee. All official records of the secretary shall be open at reasonable times to the inspection of council members in the presence of the secretary. The secretary shall keep an accurate list of all general council members, and in the absence of the president and vice-president, shall preside at meetings of the general council or executive committee.
APPROVAL

I, Charles W. James, Area Director, do hereby approve the foregoing Amendment III to the Constitution and Bylaws of the Delaware Tribe of Western Oklahoma.

Approval Recommended:

(Sgd) Charles V. Delaney
Director,
Division of Indian Services

(Sgd) CHARLES W. JAMES
Area Director

Anadarko, Oklahoma

Date: MAY 7, 1975
CERTIFICATE OF RESULTS OF ELECTION

Pursuant to an order of Charles W. James, Area Director, the attached Amendment III to the Constitution and Bylaws of the Delaware Tribe of Western Oklahoma was submitted for ratification to the eligible voters of the Delaware Tribe and was on 6-19-76, duly ratified by a vote of 92 for, and 41 against, in an election duly called for that purpose.

Certifying Officer
Superintendent, Anadarko Agency

Chairman, General Election Board

Member, General Election Board

Member, General Election Board
MAY 28 1981

Area Director, Anadarko Area Office
Branch of Tribal Government Services

Proposed Constitutional Amendments, Delaware Tribe of Western Oklahoma.

Superintendent, Anadarko Agency

The Executive Committee of the Delaware Tribe of Western Oklahoma has requested, by Resolution 81-37, adopted May 22, 1981, the approval of two proposed amendments to the tribe's constitution and bylaws.

Amendment IV

Resolution 81-37 proposes that Section 1(b), (c) and (d), Article III - Membership of Tribe, which now reads:

(b) All persons of Delaware Indian blood who received an allotment of land pursuant to the provisions of the Act of March 2, 1895, (82 Stat. 876), shall be included as full blood members of the tribe.

(c) All living lineal descendants of individuals eligible for membership under the provisions of Section 1(b) and Section 2 of the Article, who possess at least one-eighth (1/8) degree Delaware Indian blood and one of whose natural parents is a member of the Delaware Tribe of Western Oklahoma.

(d) All persons born on or after the effective date of this Constitution and Bylaws, both of whose natural parents are members of the Delaware Tribe of Western Oklahoma regardless of degree of Delaware Indian blood.

shall be amended to read as follows:

(b) All persons of Absentee Delaware Indian blood, who received an allotment of land, under the present jurisdiction of the Anadarko Area Office, shall be included as full-blood members of the tribe.

(c) All living lineal descendants of individuals eligible for membership under the provisions of Section 1(b) and Section 2 of Article III who possess at least one-eighth (1/8) degree Absentee Delaware Indian blood.

(d) All persons born on or after the effective date of this amendment, both of whose natural parents are members of the Delaware Tribe of Western Oklahoma regardless of degree of Absentee Delaware Indian blood.
and the addition of a new subsection (e), as follows:

(e) The Delaware Indian blood for all members of the Delaware Tribe of Western Oklahoma shall be shown on the membership roll as Delaware Tribe of Western Oklahoma Indian blood.

Section 2, Article III, of the Constitution and Bylaws, which now reads:

Section 2. All persons identified in Section 1(b) of this Article shall be considered as possessing 4/4ths degree Delaware Indian blood for the purpose of computing eligibility of their descendants for membership under Section 1(c) or 1(d) of this Article. Brothers and sisters of Delaware Indian blood of all persons identified in Section 1(b) shall likewise be considered as possessing 4/4ths degree Delaware Indian blood.

shall be amended to read as follows:

Section 2. All persons identified in Section 1(b) of Article III shall be considered as possessing 4/4ths degree Absentee Delaware Indian blood for the purpose of computing eligibility of their descendants for membership under Section 1(c) or 1(d) of this Article. Brothers and sisters of Absentee Delaware Indian blood of all persons identified in Section 1(b) shall likewise be considered as possessing 4/4ths degree Absentee Delaware Indian blood.

Amendment V

Resolution 81-37 proposes that Section 4, Article XIV - Duties of Officers, which now reads:

Section 4. The Treasurer shall be the custodian of all funds in possession of the tribe from any source. He shall keep an accurate record of all funds and shall make disbursements in accordance with a properly executed resolution of the executive committee. The treasurer shall keep all tribal monies entrusted to his care in special bank accounts. At any time that such an account shall amount to fifty dollars ($50) or more, he shall file a bond satisfactory to the executive committee and the Commissioner of Indian Affairs. The cost of such bond shall be paid out of tribal money. The accounts and records of the treasurer shall be open at reasonable times for inspection by council members in the presence of the treasurer. The books of the treasurer shall be subject to audit or inspection at the discretion of the executive committee or the Commissioner of Indian Affairs.

shall be amended to read as follows:

Section 4. The treasurer shall keep account of all funds in possession of the tribe from any source. He shall keep an accurate record of all funds and shall make disbursements in accordance with a properly executed resolution of the executive committee.
Section 4 (continued)

The Treasurer shall keep all tribal monies entrusted to his care in special bank accounts and/or in "Individual Indian Money" accounts. At any time that such an account shall amount to fifty dollars ($50) or more, he shall file a bond satisfactory to the executive committee and the Bureau of Indian Affairs. The cost of such bond shall be paid out of tribal money. The accounts and records of the treasurer shall be open at a reasonable time for inspection by council members in the presence of the treasurer. The books of the treasurer shall be kept in the tribal office and be subject to audit or inspection at the discretion of the executive committee or the Bureau of Indian Affairs.

Pursuant to authority delegated to the Assistant Secretary - Indian Affairs by Secretarial Order No. 3010, 42 F.R. 53682 and redelegated to the Area Director by 10 BIAM 3.1, 40 F.R. 17046, I am approving Amendments IV and V. You are authorized to call an election whereby the eligible tribal voters may ratify or reject these proposed amendments, which shall become effective if ratified by a majority of those voting. If ratified, the amendments shall be identified as Amendment IV and V respectively. If only one amendment is ratified, it shall be identified as Amendment IV.

The manner of voting shall be conducted in accordance with regulations established by you in conjunction with representatives of the Delaware Tribal Executive Committee. Although the election is not within the provisions of the Oklahoma Indian Welfare Act, regulations provided for those elections might furnish acceptable guidelines, insofar as notification and balloting are concerned.

Provide our office with the results of the election immediately upon its certification.

STANLEY SPEAKS

Attachments

cc: Commissioner of Indian Affairs
   Attn: Division of Tribal Government Services, Code 440
CERTIFICATE OF RESULTS OF ELECTION

Pursuant to an order of Stanley Speaks, Area Director, the attached Amendment IV to the Constitution and Bylaws of the Delaware Tribe of Western Oklahoma was submitted for ratification to the eligible voters of the Delaware Tribe of Western Oklahoma and was on August 15, 1981 duly ratified by a vote of 37 for, and 4 against, in an election duly called for that purpose.

[Signature]
Certifying Officer
Superintendent, Anadarko Agency
August 17, 1981
Pursuant to an order of Stanley Speaks, Area Director, the attachment Amendment V to the Constitution and Bylaws of the Delaware Tribe of Western Oklahoma was submitted for ratification to the eligible voters of the Delaware Tribe of Western Oklahoma and was on August 15, 1981 duly ratified by a vote of 37 for, and 4 against, in an election duly called for that purpose.

Certifying Officer
Superintendent, Anadarko Agency
August 17, 1981
WHEREAS, the Delaware Tribe of Western Oklahoma operates in accordance with the Constitution and By-Laws adopted by the tribe and recognized by the Secretary of the Interior, and

WHEREAS, the Constitution empowers the Executive Committee full authority to transact all business in behalf of the tribe, and

WHEREAS, tribal members have expressed their desire to Amend the Delaware Tribal Constitution and By-Laws, Article III, Section 1 (b), (c), (d), and new Subsection (e), and Article XIV, Section 4, and

WHEREAS, Article III, Section 1 (b) provides that all persons of Delaware Indian blood, who received an allotment of land pursuant to the provision of the Act of March 2, 1895, (82 Stat.876) shall be included as Full Blood Delaware, and

WHEREAS, Article III, Section 1 (c) provides that all living lineal descendants of individuals eligible for membership under the provisions of Section 1 (b) and Section 2 of the Article, who possess at least 1/8th degree of Delaware Indian Blood and one of whose natural parents is a member of the Delaware Tribe of Western Oklahoma, and

WHEREAS, Article III, Section 1 (d) provides that "All persons born on or after the effective date of this Constitution and By-Laws, both of whose natural parents are members of the Delaware Tribe of Western Oklahoma regardless of degree of Delaware Indian Blood," and

WHEREAS, Article XIV. Section 4. provides that the Treasurer shall keep
DELAWARE TRIBE OF WESTERN OKLAHOMA

RESOLUTION

WHEREAS, the Delaware Tribe of Western Oklahoma operates in accordance with the Constitution and By-Laws adopted by the tribe and recognized by the Secretary of the Interior, and

WHEREAS, the Constitution empowers the Executive Committee full authority to transact all business in behalf of the tribe, and

WHEREAS, tribal members have expressed their desire to Amend the Delaware Tribal Constitution and By-Laws, Article III, Section 1 (b), (c), (d), and new Subsection (e), and Article XIV, Section 4, and

WHEREAS, Article III, Section 1 (b) provides that all persons of Delaware Indian blood, who received an allotment of land pursuant to the provision of the Act of March 2, 1895, (82 Stat. 876) shall be included as Full Blood Delaware, and

WHEREAS, Article III, Section 1 (c) provides that all living lineal descendants of individuals eligible for membership under the provisions of Section 1 (b) and Section 2 of the Article, who possess at least 1/8th degree of Delaware Indian Blood and one of whose natural parents is a member of the Delaware Tribe of Western Oklahoma, and

WHEREAS, Article III, Section 1 (d) provides that "All persons born on or after the effective date of this Constitution and By-Laws, both of whose natural parents are members of the Delaware Tribe of Western Oklahoma regardless of degree of Delaware Indian Blood," and

WHEREAS, Article XIV, Section 4, provides that the Treasurer shall keep all tribal monies entrusted to his care in a Special Bank Account; and that the Treasurer shall keep all the accounts, records, and books of all tribal monies, and

WHEREAS, the Proposed Amendments to the Constitution and By-Laws are attached and provide Article III, Section 1 (b) that all persons of Absentee Delaware Blood who received an allotment of lands under the jurisdiction of the Anadarko Area Office, shall be Full Blood Members of the tribe and Article III, Section 1 (c) eliminates the requirement of one (1) natural parent as a member of the Delaware Tribe, and

WHEREAS, Proposed Amendment, Article III, Section 1 (d) provides that "all persons born on or after the effective date of the Constitution both of whose natural parents are members of the Delaware Tribe of Western Oklahoma", and

WHEREAS, a New Subsection (e), shall be added to Article III which provides that the Delaware Indian Blood shall be shown on the membership roll as Delaware Tribe of Western Oklahoma blood, and
WHEREAS, Article III, Section 2 of the Constitution and By-Laws shall be Amended accordingly, to provide that the words "Delaware Indian Blood: shall hereafter be changed to read "Absentee Delaware Indian Blood" in order to be consistent with the working in Section 1, Article III, and

WHEREAS, Article XIV, as Amended, will allow the Treasurer to keep tribal monies in a Special Bank Account or Individual Indian Money Account and the books and records of the Treasurer shall be kept in the Tribal Office, and

NOW THEREFORE BE IT RESOLVED, that this Resolution replace the Resolution, #81-25, adopted by the Delaware Executive Committee on April 18, 1981, and
BE IT FURTHER RESOLVED, that the Proposed Amendments, included in this Resolution, be approved by the Bureau of Indian Affairs and that the Superintendent of the Anadarko Agency be authorized to conduct a referendum election whereby the eligible voters may ratify or reject each of the Two Proposed Amendments to the Constitution and By-Laws of the Delaware Tribe of Western Oklahoma.

CERTIFICATION

The foregoing Resolution was adopted by the Delaware Executive Committee on ___May 21___, 1981, in Anadarko, Oklahoma, by a vote of ___47___ for and ___0___ against, a quorum being present.

ATTEST:                                       APPROVED:

Dona K. Thompson, Secretary                  Lawrence Snake, President