CONSTITUTION OF THE OTOE-MISSOURIA TRIBE OF OKLAHOMA

PREAMBLE

We, the members of the Otoe-Missouria Tribe of Indians in recognition of God Almighty, in order to promote our common welfare, conserve and develop our lands and resources, and secure for ourselves and our descendants the rights, powers and privileges of self government do establish and ratify this Constitution for the Otoe-Missouria Tribe of Indians pursuant to our inherent powers of self-government and the Act of Congress approved June 26, 1936 (49 Stat. 1967), known as the Thomas-Rogers Oklahoma Indian Welfare Act.

ARTICLE I – NAME

The name of this organization shall be the Otoe-Missouria Tribe of Indians.

ARTICLE II – JURISDICTION

The jurisdiction of the Otoe-Missouria Tribe of Indians shall extend to all Indian country, as defined by 18 U.S.C. 1151, within the original boundaries of the Otoe-Missouria reservation established in 1883, and to such other land as may hereafter be acquired by the Tribe or added thereto under any law of the United States.

ARTICLE III – PURPOSE

The objectives of the Otoe-Missouria Tribe of Indians in organizing under this Constitution shall be:

Section 1. To promote the general welfare of the Tribe and its members.

Sec. 2. To secure for the Tribe and its members the benefits, rights, privileges and powers provided for in the Act of Congress approved June 26, 1936 (49 Stat. 1967), known as the Oklahoma Indian Welfare Act.

Sec. 3. To secure for the Otoe-Missouria Tribe of Indians a charter of incorporation from the Secretary of the Interior that allows the Tribe to enjoy, in addition to those powers specifically mentioned in the Oklahoma Indian Welfare Act, any other rights or privileges secured to an organized Indian tribe under the Act of June 18, 1934 (48 Stat. 984), as incorporated by reference through Section 3 of the Oklahoma Indian Welfare Act, 25 U.S.C. 503.

Sec. 4. To secure the benefits, rights, privileges and powers as provided by any laws of the United States now existing or that may hereafter be enacted for the benefit of Indians or other citizens of the United States.
Sec. 5. The protections guaranteed to persons by Title II of the Civil Rights Act of 1968 (82 Stat. 77), against actions of a Tribe in exercising its powers of self-government shall apply to the Otoe-Missouria Tribe of Indians, its officers and all persons within its jurisdiction.

ARTICLE IV – MEMBERSHIP (amended June 12, 2009)

Section 1. The membership of the Otoe-Missouria Tribe of Indians shall consist of the following persons, provided they have not received land or money as an adult by virtue of being enrolled as members of another Indian Tribe:

(a) All persons whose names appear on the official membership roll of the Tribe as of October 14, 1966, and

(b) All persons who are of at least one-eighth (1/8) degree Otoe-Missouria Tribal blood.

Sec 2. Dual Enrollment Prohibited. No person who is an enrolled member of another federally recognized tribe or band of Indians shall, at the same time, be a member of the Otoe-Missouria Tribe of Indians.

Sec 3. Enrollment Ordinance. The Tribal Council shall have the power to enact an enrollment ordinance consistent with the provisions of this constitution. This ordinance may include provisions for adoption into membership and loss of membership as well as all other appropriate definitions and procedures.

Numerical Designation

Having been duly approved and ratified, proposed Amendment A is hereby designated as Amendment No. I to the Constitution of the Otoe-Missouria Tribe of Indians.

CERTIFICATE OF RESULTS OF ELECTION

Pursuant to a Secretarial election authorized by Terry M. Bruner, Acting Regional Director, on March 6, 2009, the attached Amendment A to the Constitution of the Otoe-Missouria Tribe on June 12, 2009, and was duly ratified by a vote of 358 for and 71 against, with 14 cast ballots found separated or mutilated, in an election which at least thirty percent (30%) of the 533 entitled to vote cast their ballots in an election conducted in accordance with Article XV of the Tribe’s Constitution and By-Laws.

(sgn) J. Suzanne Chaney
Chairperson, Election Board

(sgn) Barbara Childs-Walton
Election Board Member
ARTICLE V – GENERAL COUNCIL

Section 1. Composition. The General Council shall consist of all members of the Tribe eighteen (18) years of age or older, who are duly registered to vote.

Sec. 2. Powers. The specific powers reserved to the General Council are set forth in Section 2(a) of Article VIII.

ARTICLE VI – TRIBAL COUNCIL

Section 1. Composition. The representative governing body of the Tribe shall be the Tribal Council composed of seven (7) members elected by secret ballot by the qualified voters of the Tribe. Such governing body shall be known as “The Otoe-Missouria Tribal Council.”

Sec. 2. Powers. The Tribal Council’s powers are set forth in Section 1 of Article VIII.

Sec. 3. Officers. A Chairman, Vice-Chairman, Secretary, Treasurer, and three (3) Councilmen shall be elected at large by plurality vote; provided, that a person shall be a candidate for only one (1) of the seven (7) positions.

ARTICLE VII – ELECTIONS

Section 1. First Election. Within ninety (90) days after the date this Constitution is ratified, the Election Board, which conducted the ratification election, shall conduct the first election to fill the seven (7) Tribal Council positions and the four (4) positions on the tribal Election Board pursuant to regulations prescribed by that interim Election Board which shall be consistent with this Constitution. The Chairman, Secretary, and two (2) Councilmen shall be elected to serve until their successors are installed following the November 1986 regular election. The Vice-Chairman, the Treasurer and the remaining councilman shall be elected to serve until their successors are installed following the first regular election to be held in November 1985. Thereafter, all terms of office shall be for three (3) years or until successors are duly elected and installed.

Regarding establishment of the Election Board, one (1) position shall initially be filled for one (1) year term, one (1) shall be for a term of two (2) years, another shall be filled for a three (3) year period, and the remaining position shall be filled for a four (4) year term of office. Thereafter, elections for filling the vacancy that occurs each year on the Election Board shall be by secret balloting during the annual General Council meeting.
and those elected shall serve for four (4) year terms or until their successors are duly elected and installed.

The Business Committee in existence at the time this Constitution is ratified shall continue to serve until those initially elected to the Council are installed in office.

Sec. 2. Regular Elections.

(a) Tribal Council. Regular elections for the Tribal Council shall be conducted on the first Saturday of November during those years on which terms expire, beginning in 1985.

(b) Election Board. Regular elections for the Election Board shall be by secret ballot during annual meetings of the General Council.

Sec. 3. Election Ordinance. All tribal elections, including initiative, recall and referendum, shall be conducted by an impartial election board pursuant to an election ordinance which shall be enacted by the Tribal Council within six (6) months following the effective date of this Constitution. Such ordinance shall be consistent with this Constitution and shall include provision for advance nomination of candidates, voter registration, absentee voting, secret ballots, and a procedure for resolving election disputes. Further, the ordinance shall set forth procedures for submitting petitions and determining their validity.

Sec. 4. Election Board. A four (4) member Election Board shall be created by electing persons to that body on an at-large basis at the first election following ratification of this Constitution as provided in Section 1 of this Article. Candidates for election to the Election Board must meet those qualifications set forth in Section 5 of Article VII. The Election Board shall carry out provisions of the Election Ordinance objectively and fairly. No person who is a member of the Election Board shall, at the same time, be a candidate for, or serve on, the Tribal Council. An Election Board member, who is a candidate for reelection to that body, shall not serve during such election in order to avoid a conflict of interest.

Sec. 5. Qualifications of Candidates. Any person who desires to become a candidate for election or appointment to elective tribal office, and prospective candidates for appointment to the Tribal Court, must meet the qualifications set forth below; provided, that any elected person removed or recalled from office after ratification of this Constitution for any reason shall not be eligible to become a candidate for a period of four (4) years from the date of such removal or recall.

(a) must be an enrolled member of the Tribe,

(b) must be at least twenty-five 25 years of age,

(c) must be duly registered to vote in the tribe’s voter registration system,

(d) must be eligible to be bonded on order to satisfy the requirements of Section 4 of Article XIII, and

(e) must not have been convicted of a felony by a court of competent jurisdiction.
Sec. 6. Filing to be a Candidate. It shall be the responsibility of prospective candidates to file declaration of candidacy with the Election Board and Certify (or furnish documentary evidence) their qualifications.

Sec. 7. Lack of Candidates. If there are positions on either the Tribal Council or the Election Board which are vacant due to a lack of candidates, those positions shall be considered vacant and filled according to Article IX, Section 1.

Sec. 8. Voter Qualifications. In order to be a qualified voter, the following requirements must be met:

(a) an enrolled member of the Tribe,
(b) at least eighteen (18) years of age on the date of the election, and
(c) be duly registered to vote in the tribe’s voter registration system.

Sec. 9. Installation of Election Officials. The duly elected Tribal Council members and members of the Election Board shall be installed in office at a meeting to be held as soon as possible following the election. The oath of office shall be administered by an appropriate tribal member chosen by the Election Board.

Sec. 10. Recall. Upon receipt of a valid petition signed by at least three-hundred (300) adult members, it shall be the duty of the Election Board to call and conduct, within thirty (30) days, a special meeting of the General Council to vote by secret ballot on the recall of any elected official. Before voting on that issue, such official shall be given a written statement of the charges against him/her at least ten (10) days before the recall meeting. Such meeting shall be subject to the quorum provisions set forth in Article XI, Section 1(a). An elected official shall be subjected to recall proceedings only once during any term of office. Only one (1) official shall be considered for recall at any given recall meeting.

ARTICLE VIII – POWERS

Section 1. Tribal Council. The Tribal Council shall have final authority to transact business and otherwise speak or act on behalf of the Tribe in all matters on which the Tribe is empowered to act now or in the future, except as otherwise provided in this Constitution. The Tribal Council shall have authority to appoint subordinate committees and representatives and delegate to them any of the Tribal Council’s powers. Further, the Tribal Council’s authority shall include the power to enact ordinances and adopt regulations to administer governmental functions of the Tribe. The exercise of tribal powers shall be consistent with this Constitution and Federal Law.

Sec. 2. Qualified Voters. The powers set forth in this Section are reserved for exercise by the qualified voters in the manner described below:

(a) General Council. The following powers are to be exercised in meetings of the General Council:
1. enact an ordinance dealing with land acquisition and management for implementation by the Tribal Council.

2. make decisions regarding changes in the tribal burial program.

3. adopt or reject initiative proposals in accordance with Section 1 of Article X.

4. adopt or reject referendum proposals in accordance with Section 2 of Article X.

(b) Elections. The powers set forth below are to be exercised at elections which require absentee voting and secret balloting. While such elections may be held in conjunction with General Council sessions, they are separate from requirements for meetings of the qualified voters:

1. election and recall of tribal officials in accordance with Article VII

2. filling of vacancies in accordance with Article IX, Section 1

3. ratification of this Constitution in accordance with Article XVI

(c) Petition. The following powers are to be exercised by petition:

1. propose amendments to this Constitution in accordance with Article XV

2. initiate recall proceedings in accordance with Section 10 of Article VII

3. request the calling of special General Council meetings in accordance with Section 1(c) of Article XI

Sec. 3. Inherent Powers. No provisions of this Constitution shall be construed as a limitation on the inherent sovereign powers of the Otoe-Missouria Tribe of Indians.

ARTICLE IX – VACANCIES, REMOVAL AND FORFEITURE

Section 1. Vacancies. Vacancies in the membership of the Tribal Council which occur in the first two (2) years of the elected term shall be filled at a special election as provided for in the election ordinance. Vacancies occurring in the last year of the elected term shall be filled by the Tribal Council appointing a person who meets the qualifications for election to that position.

Vacancies on the Election Board shall be filled by the Tribal Council appointing a person who qualifies for election to such position. The appointee shall serve until the next annual meeting of the General Council at which time a qualified successor shall be elected to fill that position for any time remaining in such term of office. Voluntary resignation by any Tribal Council member or member of the Election Board shall be in writing and shall be effective when accepted by a resolution of the Tribal Council.

Sec. 2. Removal. Any elected or appointed official found guilty in a court of competent jurisdiction, or by the Tribal Council, of behavior involving misconduct reflecting on the dignity and integrity of the tribal government, malfeasance in office, or gross neglect of duty, may be removed from office if at least four (4) members of the Tribal Council vote
in favor of such removal. Voting must be by secret ballot and the Chairman is entitled to
vote. If the accused is a Tribal Council member, he/she shall have the right to vote by
secret ballot. Before, the vote for removal is taken, the accused tribal official shall be
given a written statement of the charges at least ten (10) days before the Tribal Council
meeting at which he or she is to appear, and shall be given an opportunity to answer
any and all charges at such meeting. Any removed member of the Tribal Council or
Election Board shall not be returned to office unless subsequently elected by the Tribe’s
qualified voters. No member of the Tribal Council shall call or preside over the meeting
at which his or her removal is being considered. The decision of the Tribal Council shall
be final.

(a) Absences. Tribal Council members who are absent from two (2) successive regular
meetings of that body, or total of three (3) regular meetings in one (1) year, may be
removed from office by a majority vote of the Tribal Council members present
at a meeting called for that purpose, unless such absences are excused by a majority
vote of the Tribal Council. The due process provisions set forth above shall also be
required in pursuing removal for unexcused absences.

Sec. 3. Forfeiture. Any member of the Tribal Council, the Election Board, or the Tribal
Court, who, during the term for which he or she is elected or appointed, is convicted of a
felony by a court of competent jurisdiction, shall automatically forfeit his or her position
effective on the date of the initial conviction.

ARTICLE X – POPULAR PARTICIPATION IN GOVERNMENT

Section 1. Initiative. Upon receipt of a valid petition signed by at least one hundred fifty
(150) adult enrolled tribal members, it shall be the duty of the Election Board to call and
conduct within sixty (60) days, an initiative election to be conducted at a special meeting
of the General Council. Such meeting shall be for the purpose of presenting to the
qualified voters for their determination any issue or question, except recall, and as
otherwise provided by this Constitution.

A decision by the majority of those voting shall be binding on the Tribal Council until its
expires by its own terms or is otherwise changed by action of the voters. A quorum must
be present to validate such action. Once an initiative issue has been submitted to the
voters and rejected, that same issue shall not again be considered for such action for at
least six (6) months.

Sec. 2. Referendum. Upon receipt of a valid resolution supported by an affirmative vote
of at least four (4) members of the Tribal Council, the Election Board shall refer to the
voters for their determination, such issue requested by the Tribal Council. The
referendum may be conducted at an annual or special meeting of the General Council.
Except for special meetings called for referendum purposes, it shall not be necessary to
give prior notice of the matter being referred to the voters. A majority of those who vote
shall decide the issue and such decision shall be binding on the Tribal Council until
otherwise changed by voters; provided, a quorum is present. The Tribal Council’s
request for a referendum election may include decisions related to those powers reserved to the General Council set forth in Section 2(a) 1 and 2 of Article VIII.

ARTICLE XI – MEETINGS

Section 1. General Council.

(a) Quorum. One-hundred (100) qualified voters shall constitute a quorum in order to conduct business at any annual or special meeting of the General Council. No enactment of the General Council shall have any validity in the absence of a quorum at the time it is voted upon.

(b) Annual Meeting. The Otoe-Missouria General Council shall meet annually on the first Saturday in November. The Tribal Council shall properly notice the hour and place of the meeting. Upon determination by the Tribal Council that, due to an extreme emergency, the annual meeting cannot be held on the First Saturday in November, the Tribal Council shall designate another meeting date; provided, the meeting is held within thirty (30) days of the regular date upon proper notice.

(c) Special Meeting. Special meetings of the Otoe-Missouria General Council may be called at the discretion of the Chairman of the Tribal Council; provided, that in each instance, a notice, including the purpose of the meeting, shall be posted and published at least ten (10) days in advance. Special meetings of the General Council shall be called by the Chairman upon receipt of a valid petition signed by at least one hundred fifty (150) adult members of Tribe, or by resolution of the Tribal Council, for the purpose of bringing special business or issues to the Tribal Council, for the discussion and/or enactment. The petition or resolution must state the purpose of the meeting. If, upon validation of the petition by the Election Board, the Chairman does not call and notice the meeting within fifteen (15) days after validation, the next highest ranking officer shall exercise such authority, and upon the failure of any of the Tribal Council members to call and notice the special meeting, the petitioner spokesman shall proceed to call, notice and conduct the special meeting; provided, the quorum of one hundred (100) General Council members shall be required to validate actions taken at such meeting. Special meetings of the General Council shall not be cancelled after the ten (10) day notice is posted and published.

Sec. 2. Tribal Council Meetings.

(a) Quorum. Five (5) members of the Tribal Council shall constitute a quorum of the Tribal Council membership thereof. No enactment of the Tribal Council will have any validity in the absence of a quorum.

(b) Regular Meetings. Regular meetings of the Tribal Council shall be held monthly at a place and date established by ordinance of the Tribal Council.

The Tribal Secretary shall be responsible for telephoning or sending written notices to each member in advance of the meeting if the regular date and place should have to be
changed. The Tribal Council shall have the authority to call an Executive Session of any Tribal Council meeting.

(c) **Special Meetings.** Special meetings of the Tribal Council may be called by the Chairman at his discretion, and shall be called by the Chairman upon the written request of at least four (4) members of the Tribal Council; provided, that the reason for the meeting is stated in the request and that each member of the Tribal Council is given at least seventy-two (72) hours advance notice of any special meeting. Upon refusal by the Chairman to call a special meeting within seventy-two (72) hours upon the written request of four (4) members who requested the special meeting may proceed to call and conduct the special meeting; provided, a quorum of five (5) members of the Tribal Council is present.

**ARTICLE XII – TRIBAL COURT**

**Section 1.** Until such time as the Tribal Council determines that the Tribe is financially and otherwise prepared to maintain a separate Tribal Court, the judicial authority of the Tribe shall be exercised by the Court of Indian Offenses. The jurisdiction of the Court of Indian Offenses shall include, but not be limited to, criminal and civil jurisdiction, including settlement of tribal disputes and interpretation of this Constitution and tribal enactments.

**Sec. 2.** When the Tribal Council determines that the Tribe is prepared to begin exercising its judicial authority, it shall notify the Court of Indian Offenses by resolution, transmitting the following:

(a) a copy of the judicial ordinance,

(b) a plan for establishing the Tribal Court, and

(c) a time table and procedures for orderly transition of pending cases.

In line with the above provisions, the judicial authority of the Tribe will, thereafter, be exercised by the Tribal Court. If, because of financial or other reasons, it is not appropriate for the Tribe to continue to maintain a separate Tribal Court, the Tribal Council may restore jurisdiction to the Court of Indian Offenses.

**Sec. 3.** If the Tribal Council determines that the Tribe shall maintain a separate Tribal Court, or courts, that court shall possess all of the judicial powers of the Tribe, including such powers that may, in the future, be granted to the Tribe by Federal Law. The Tribal Council shall enact a judicial ordinance subject to approval by the Secretary of the Interior to provide for the Tribal Court to exercise judicial powers including those set forth in Section 1 of this Article. Other features of the Tribal Court are set forth below:

(a) The authority of the Tribal Court shall extend to all criminal offenses committed by Indians which occur within the jurisdiction of the Tribe and all civil matters occurring within the Tribe’s jurisdiction.
(b) The duties and procedures of the court or courts shall be established by Ordinance of the Tribal Council, which shall also include the tenure and compensation for the tribal judges.

(c) The tribal court shall consist of a Chief Judge and two (2) Associate Judges, Appointed by the Chairman of the Tribal Council and confirmed by a majority vote of the Tribal Council.

(d) In order to qualify for appointment to the Tribal Court, a person must meet the requirements set forth in Section 5 of Article VII, except that he/she must be at least thirty (30) years-of-age and not more than seventy (70) years of age.

(e) Tribal judges may be unseated from their positions only by expiration of their term of appointment or by the removal or forfeiture provision of Article IX.

(f) The judicial ordinance may include provisions for a Tribal Police Force.

ARTICLE XIII – DUTIES OF OFFICERS

Section 1. The Chairman. The Chairman of the Tribal Council shall preside over all Tribal Council and General Council meetings of the Tribe, except as otherwise provided in this Constitution. The Chairman shall be allowed to vote only in case of a tie, except as provided in Article IX, Section 2, and in the elections of the Tribal Council, and shall exercise only the authority specifically delegated by the Tribal Council or as otherwise provided by this Constitution. The Chairman shall have general supervision over the affairs of the Tribal Council and shall perform all duties pertaining to the office of the Chairman.

Sec. 2. The Vice-Chairman. The Vice-Chairman of the Tribal Council shall assist the Chairman when called upon to do so. In the temporary absence of the Chairman, the Vice-Chairman shall preside, and when so presiding, shall have the rights, privileges, and duties, as well as the responsibilities of the Chairman. In the event of an extended absence or inability of the Chairman to perform the duties as Chairman, and when the office if for either of these reasons declared by a majority vote of the Tribal Council to be vacant, the Vice-Chairman shall automatically succeed the Chairman and inherit the designated duties and responsibilities of that position. The Vice-Chairman shall assume the office of Chairman in the event of a permanent vacancy in the office of Chairman until such time the vacancy is filled pursuant to Section 1 of Article IX.

Sec. 3. The Secretary. The Secretary of the Tribal Council shall correctly record the proceedings of all meetings of the Tribal Council and the General Council. The Secretary shall be responsible for the prompt and efficient handling of correspondence pertaining to the business of the Tribal Council. The Secretary shall make out the order of business at the direction of the Chairman, shall notify Tribal Council members of their appointments, and shall have custody on behalf of the Tribe of the records and papers of the Tribe.
The Secretary shall keep a correct list and terms of members of the Tribal Council, shall authenticate accounts or order of the Tribal Council and in the absence of the Chairman and Vice-Chairman, shall call either the Tribal Council or the General Council meeting to order until a Chairman Pro Tempore is selected. The Secretary shall read the minutes of the previous meeting. At the expiration of the term of office, all records, equipment, supplies and tribal papers in the possession of the Secretary shall immediately be turned over to the successor. The records which are the responsibility of the Secretary, shall be maintained at the tribal office. The Secretary shall issue notices of General Council meetings and make available by public announcement the anticipated agenda of such meetings.

In the event of an extended absence or inability of the Secretary to perform the Secretary’s duty, and when the office is for either of these reasons declared by a majority vote of the Tribal Council to be vacant, the Treasurer shall assume the designated duties of office of the Secretary until such time as the vacancy is filled by an election or appointment of a new Secretary according to Section 1, Article IX. In the event the Treasurer is absent, the Tribal Council may designate another member of the Tribal Council as acting Secretary on a one-meeting basis.

**Sec. 4. The Treasurer.** The Treasurer of the Tribal Council shall be responsible for each yearly budget allowance received by the Tribal Council and shall keep an accurate account of all receipts and disbursements from this budget allowance. The Treasurer shall make appropriate reports (of all accounts) to the Tribal Council and present summary reports at meetings of the General Council. The accounts and records of the Tribal Council shall be open at all times for inspection and audit by the Assistant Secretary – Indian Affairs or his authorized representative. The records of the Treasurer shall be subject to audit or inspection at the discretion of the Tribal Council. All tribal funds entrusted to the care of the Treasurer shall be kept in a special account in a bank authorized by the Tribal Council and all disbursements therefrom shall be made by check with the checks to be countersigned by the Chairman.

The Treasurer shall have a position surety bond satisfactory to the Tribal Council. The cost of all tribal surety bonds shall be paid from tribal funds. All disbursements from tribal funds shall be made under authority of a properly executed resolution. In the event of an extended absence or inability of the Treasurer to perform the Treasurer’s duties, and when the office is otherwise declared by a majority vote of the Tribal Council to be temporarily or permanently vacant, the designated duties of the Treasurer shall be assumed by other members of the Tribal Council in the following order:

1. The Secretary
2. One of the three (3) Tribal Council members who shall be properly bonded, and shall serve until a new Treasurer has been elected or appointed according to Section 1, Article IX.

**Sec. 5. Appointed Committees.** The duties of all appointive committees and officers shall be clearly defined by an ordinance or administrative guidelines at the time of their creation or appointment. Such committees or officers shall report from time to time, as
required, to the Tribal Council; their activities and decisions shall be subject to review by the Tribal Council upon petition of any person aggrieved.

**ARTICLE XIV – TRIBAL ENACTMENTS**

*Section 1. Resolution.* All final decisions of the Tribal Council on matters of temporary interest or matters relating to particular circumstances, officials or individuals shall be embodied in resolutions. Every resolution shall begin with the words, “Now, therefore, be it resolved by the Tribal Council of the Otoe-Missouria Tribe of Indians.”

*Sec. 2. Ordinances.* On going matters necessary to the orderly administration of tribal affairs, shall be embodied in ordinances. Every ordinance shall begin, “Be it enacted by the Tribal Council of the Otoe-Missouria Tribe of Indians.”

**ARTICLE XV – AMENDMENTS**

Amendments to this Constitution may be proposed by a valid petition signed by at least three hundred (300) qualified voters, and, if approved by the Secretary of the Interior, shall be submitted to a referendum of the qualified voters of the Tribe pursuant to regulations of the Secretary (25 CFR Part 81 and 82) and shall become effective when ratified by a majority vote of those voting in the election; provided, that at least thirty percent (30%) of those entitled to vote shall cast ballots in such election.

**ARTICLE XVI – RATIFICATION**

This Constitution, when approved by the Secretary of the Interior and ratified by a majority vote of the qualified voters of the Otoe-Missouria Tribe of Indians voting at an election called for that purpose by the Secretary of the Interior, in which at least thirty percent (30%) of those entitled to vote shall cast their ballots, shall be effective from the date of ratification.

**ARTICLE XVII – CERTIFICATION OF APPROVAL**

I, John W. Fritz, Deputy Assistant Secretary – Indian Affairs (Operations) by virtue of the authority granted to the Secretary of the Interior by the Act of June 26, 1936 (49 Stat. 1967), as amended, and delegated to me by 209 D.M. 8.3, do hereby approve this Constitution of the Otoe-Missouria Tribe of Indians. It shall become effective upon ratification by the qualified voters of the Tribe in an election in which at least thirty percent (30%) of those entitled to vote cast ballots; provided, that nothing in this approval shall be construed as authorizing any action under this Constitution that would be contrary to Federal Law.

(sgn.) John W. Fritz
Deputy Assistant Secretary-Indian Affairs (Operations)
Washington, D.C.

Date: OCT 06 1983
ARTICLE XVIII – CERTIFICATE OF RATIFICATION

Pursuant to an order approved by John W. Fritz, Deputy Assistant Secretary - Indian Affairs (Operations), on October 6, 1983, this Constitution of the Otoe-Missouria Tribe of Indians was submitted for ratification to the qualified voters of the Otoe-Missouria Tribe of Indians and was on February 4, 1984, duly ratified by a vote of 98 for, and 49 against, in an election in which at least thirty percent (30%) of the 256 entitled to vote cast their ballots in an election called for that purpose.

(sgn.) R D Baracker
Chairman, Election Board

(sgn.) James Cleghorn
Election Board Member

(sgn.) Vernon D. Atkins
Election Board Member

Date: February 4, 1984