

CONSTITUTION  
OF THE  
SAC AND FOX NATION  
PREAMBLE



We, The People of the Sac and Fox Nation, in order to promote the general welfare, provide for public peace and safety, establish justice, and to secure to ourselves and our descendants our common heritage and inherent right of self-government, as well as any rights or powers which may be granted to an organized Indian tribe pursuant to the Thomas-Rogers Oklahoma Indian Welfare Act of June 26, 1936, (49 Stat. 1967), and any other law of the United States of America, do hereby ordain and establish this Constitution of the Sac and Fox Nation, which shall supercede the constitution approved by the Secretary of the Interior on October 27, 1937, and ratified on December 7, 1937, as amended.

**ARTICLE I - MEMBERSHIP OF TRIBE**

The membership of the Sac and Fox Nation shall consist of the following:

SECTION 1. All enrolled persons whose names appear on the official Tribal Roll as of the date of the ratification of this constitution.

SECTION 2. All persons of one-fourth (1/4) or more degree of total combined Sac and Fox Indian blood at least one of whose parents is a member of the Sac and Fox Nation.

SECTION 3. All person now living and eligible for membership under Article II of the Constitution and By-Laws of the Sac and Fox Tribe of Indians of Oklahoma as amended August 26, 1967.

- a. All enrolled persons whose names appear on the official census roll of the tribe as of January 1, 1937, and who were living on that date.
- b. Each child born since the date of the said roll and prior to the effective date of Amendment I (October 16, 1954) each of whose parents was a member of the tribe.
- c. Each child of Sac and Fox Indian blood born prior to the effective date of Amendment I (October 16, 1954) of a marriage between a member of the tribe and any other person, if such child is admitted to membership by the council.
- d. Each child who is of one-fourth or more Sac and Fox Indian blood born on or after October 16, 1954, each of whose parents is a member of the tribe.
- e. Persons born after date of October 16, 1954, who possess one-fourth or more Sac and Fox Tribe of Oklahoma, shall be entitled to membership with the Sac and Fox Tribe of Oklahoma, provided an application is submitted in writing to the Sac and Fox Tribe of Oklahoma and provided that such person has not been enrolled with another tribe.

- f. Persons making application for membership under Section 3 (c) above shall be entitled to file application two times only, and if rejected both times, they shall not be entitled to further consideration for membership with the Sac and Fox Tribe of Oklahoma.

## ARTICLE II - GOVERNING COUNCIL

SECTION 1. The Supreme Governing body of the Sac and Fox Nation shall be the Governing Council, having all the powers herein delegated to it by this constitution. The membership of the Governing Council shall be all members of the Sac and Fox Nation eighteen (18) years of age and older.

SECTION 2. There is reserved to the Governing Council the authority to approve all actions of the Business Committee which result in:

- a. The appropriation and budgeting of available tribal funds held in trust as the proceeds of any claim against the United States, or as an annuity from or as a result of any treaty obligation, received from the United States including interest earned thereon for expenditure for the benefit of the tribe.
- b. The sale of any land or interest in lands, and in connection with the purchase of lands or interest in lands, to authorize and cause to be executed a mortgage or encumbrance covering or extending to land not being purchased with the money received due to such mortgage or encumbrance.
- c. Approval of any settlement of any claim of the Sac and Fox Nation against the United States.

SECTION 3. As required, following the meetings of the Governing Council, the election board shall conduct an election, pursuant to the election ordinance, on the issues presented to the Governing Council which the Governing Council voted to place upon the ballot.

## ARTICLE III - BUSINESS COMMITTEE

SECTION 1. There shall be a Business Committee which shall consist of the Principal Chief, Second Chief, Secretary, Treasurer, and one (1) Committee member who shall be elected by secret ballot.

- a. The Principal Chief shall preside at meetings of the Governing Council and of the Business Committee. He shall have general supervision of the affairs of the Governing Council and of the Business Committee, shall perform all duties appertaining to the office of Principal Chief, and shall see that the laws of the Sac and Fox Nation are faithfully executed.
- b. The Second Chief in the absence or incapacity of the Principal Chief or if the office of the Principal Chief shall become vacant, shall perform the duties of that office.

- c. The Secretary shall correctly record the proceedings of all meetings. He shall make out the order of business for the Principal Chief, shall notify all committees of their appointments, shall have custody of the records and all papers of the Governing Council, which records and papers shall be open to inspection in his presence at reasonable times, by any member of the Governing Council desiring to read them. He shall keep a correct list of all members of the Governing Council and the tribe, shall authenticate all actions of the Principal Chief and Second Chief, shall call the meeting to order until a Chairman pro tempore is selected. He shall render a written report at the annual meeting and at the expiration of his term of office. Upon his death, resignation, expiration of term, or removal from office, the records and all papers in his possession shall be turned over to his successor. He shall issue notice of all meetings and conduct general correspondence, as directed by the Governing Council or the Business Committee.
- d. The Treasurer shall receive all monies and other assets of the tribe and keep all tribal monies entrusted to his care in one or more special accounts and all disbursements therefrom shall be made pursuant to resolution or ordinance of the Business Committee with two approved signatures on each check. At any time that such an account shall amount to more than \$50.00, he shall file a bond satisfactory to the Business Committee and the Governing Council. The cost of such bond shall be paid out of tribal monies. He shall render a certified written report at the annual meeting and at the expiration of his term of office. Upon his death, resignation, expiration of term or removal from office, the records and all papers in his possession shall be turned over to his successor.

SECTION 2. The Business Committee shall have power to appoint subordinate committee and representatives, 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 and to hire and employ legal counsel to represent the tribe, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior or his authorized representative, as long as such approval is required, provided that, the Governing Council shall have a veto power after actions by the Business Committee; provided further that, such veto power shall only be binding upon the Business Committee by two-thirds (2/3) majority vote of the Governing Council.

#### ARTICLE IV - GRIEVANCE COMMITTEE

SECTION 1. There shall be a Grievance Committee which shall consist of three (3) members of the Governing Council who shall be elected by secret ballot.

SECTION 2. The Grievance Committee, under such procedures as shall be provided by the Governing Council, shall hear complaints of misconduct in office by members of the Business Committee and upon a showing of probable cause that misconduct in office has occurred, shall call a special meeting of the Governing Council to act upon such complaints and shall undertake such other duties as it may be assigned by tribal law.

SECTION 3. The Governing Council shall have power, by a two-thirds (2/3) majority vote by secret ballot taken after giving the accused a hearing, to remove him from office. The Chairman of the Grievance Committee shall preside at all meetings of the Governing Council called by the Grievance Committee for the purpose of considering the removal of a Business Committee member.

SECTION 4. Grievance Committee members may be recalled from office according to rules and procedures to be established by ordinance of the Governing Council.

#### ARTICLE V - COURTS

SECTION 1. The judicial power of the Sac and Fox Nation shall be vested in one Supreme Court of the Sac and Fox Nation consisting of five (5) Justices and such inferior courts as may be established by tribal law.

SECTION 2. The courts of the Sac and Fox Nation shall be courts of general jurisdiction and shall further have jurisdiction in all cases arising under the constitution, laws, and treaties of the Sac and Fox Nation. The Supreme Court of the Sac and Fox Nation shall have original jurisdiction in such cases as may be provided by law, and shall have appellate jurisdiction in all other cases.

SECTION 3. The Justices and Judges of the Sac and Fox Nation shall be selected by the Business Committee and confirmed by the Governing Council, provided that, Justices and Judges may be appointed by the Business Committee to hear a specific case at the request of the Supreme Court. A special appointment shall continue only until a final decision in the specific case has been reached.

SECTION 4. The Justices and Judges of the Sac and Fox Nation shall serve six (6) year terms beginning at the date of their confirmation in office and until their successor shall be duly confirmed and installed. At the expiration of his term of office, each Justice or Judge, at his option, shall be considered by the Governing Council for reconfirmation to a new term of office without opposition.

SECTION 5. Justices and Judges of the Sac and Fox Nation may be removed from office in the same manner that Business Committee members may be removed from office upon a showing of habitual neglect of the duties of office, oppression in office for personal gain or advantage, or conviction in any court of a felony or other crime involving moral turpitude. In no case may a Justice or Judge be removed from office because of his decision or vote in any case before the court.

SECTION 6. The Tribal Courts are hereby specifically authorized to review, in any case before them, the actions of the Governing Council. The Business Committee, or any other tribal officers, agents or entities to determine whether those actions are prohibited by Federal or tribal law or this constitution. If it be found that the action complained of is not within the scope of authority delegated to that body or person by this constitution, or tribal law enacted pursuant to this constitution, or that the action is being undertaken in a manner prohibited by this constitution, tribal law, or Federal law, the courts are authorized to declare any such legislative or executive action unconstitutional and void, and to enter injunctive relief against unlawful actions by any executive officer or body of the Sac and Fox Nation.

SECTION 7. This article shall be effective upon enactment of enabling legislation by the Governing Council. Until this article becomes effective, the judicial power of the Sac and Fox Nation shall be vested in a Sac and Fox Tribal Court system as created by legislative action of the Business Committee. The Business Committee shall have authority to contract for the operation of the Court of Indian Offenses pursuant to

law either separately or in conjunction with any other tribe or tribes within the jurisdiction of that court, and to modify the court created by this article in order to utilize an intertribal court system in conjunction with other tribes in the Anadarko Area Office jurisdiction, such modification to remain in effect so long as the Sac and Fox Nation is a participant in such intertribal court system.

## ARTICLE VI - ELECTIONS

SECTION 1. Any person elected to membership on the Business Committee shall not be less than twenty-one (21) years of age and shall be a member of the Sac and Fox Nation. At the time of his election, he shall reside within the geographical boundaries of the State of Oklahoma. Any member of the Business Committee removing from the State of Oklahoma shall automatically forfeit his office.

SECTION 2. In order to provide for staggered terms of office, in the first regular election under this constitution, the Principal Chief, Second Chief, and Committee Member shall be elected to a four (4) year term of office, and the Secretary and the Treasurer shall be elected to a two (2) year term of office. Thereafter, each member of the Business Committee shall be elected to a four (4) year term of office, and the Secretary and the Treasurer shall be elected to a two (2) year term of office. Thereafter, each member of the Business Committee shall be elected to a four (4) year term of office, and shall serve until his successor shall be duly elected or appointed and installed in office.

SECTION 3. Any person elected to membership on the Grievance Committee shall be not less than twenty-one (21) years of age and a member of the Sac and Fox Nation. At the time of his election he shall reside within the geographical boundaries of the State of Oklahoma. Any Grievance Committee member removing from the State of Oklahoma shall automatically forfeit his office.

SECTION 4. In order to provide for staggered terms of office, in the first regular election under this constitution two (2) members shall be elected to a four (4) year term of office and one (1) member shall be elected for a two (2) year term of office. Thereafter, each member of the Grievance Committee shall be elected to a four (4) year term of office and until his successor shall be duly elected or appointed and installed in office.

SECTION 5. Regular elections of members of the Business Committee and members of the Grievance Committee shall be held in each odd-numbered year pursuant to an election ordinance prescribed by the Governing Council.

SECTION 6. No person shall be a candidate for more than one (1) office at any one election, or shall any person hold more than one elective office at any one time.

## ARTICLE VII - VACANCIES

Vacancies in any elective office shall be filled by appointment of the Business Committee until the next regular election. At the next regular election the vacancy shall be filled by election for the remainder of the unexpired term, provided that, if less than a quorum of the Business Committee remain in office, the Governing Council shall appoint the new Business Committee members for the unexpired terms at a special Governing Council meeting called by the highest ranking elected tribal official.

## ARTICLE VIII - MEETINGS

SECTION 1. There shall be an annual meeting of the Governing Council the last Saturday of August of each year.

SECTION 2. The purpose of the Governing Council meetings shall be to give information and to discuss any matter pertaining to the Sac and Fox Nation. However, decisions on the issues discussed, and any actions taken with respect to the authority reserved to the Governing Council by this constitution shall be made only by a subsequent general election held in accordance with, and within the time specified in the election ordinance, which election shall be open to all members of the Governing Council.

- a. Special meetings of the Governing Council may be called at the discretion of the Principal Chief, and shall be called by him within thirty (30) days upon the written request of a majority of the Business Committee or upon the written request of fifty (50) members of the Governing Council, provided that, at least ten (10) days notice shall be given in each instance.
- b. Unless some other point under the Shawnee Indian Agency jurisdiction is designated in the call or notice, all meetings of the Governing Council shall be held at the Sac and Fox tribal grounds.

SECTION 3. Regular meetings of the Business Committee shall be held at a regular time and place to be designated by the Business Committee which will then announce and give public notice of the meeting at least five days (5) days prior to the meeting.

- a. Special meetings of the Business Committee may be called by the Principal Chief at his discretion, and shall be called within five (5) working days upon the written request of three (3) members of the Business Committee.
- b. Unless some other point under the Shawnee Indian agency jurisdiction is designated in the call or notice, all meetings of the Business Committee shall be held at the Sac and Fox tribal grounds.

## ARTICLE IX - QUORUMS

SECTION 1. The Business Committee shall provide for its own rules of procedure and three (3) members of the Business Committee shall constitute a quorum to transact business at any meeting.

SECTION 2. The Governing Council shall provide for its own rules of procedure and sixty (60) members of the Governing Council shall constitute a quorum to transact business at any meeting.

SECTION 3. Once a quorum is established, a meeting may proceed until adjournment; provided that, if said meeting is recessed for more than eight (8) hours, a quorum must be established to conduct any further business except adjournment.

## ARTICLE X - BILL OF RIGHTS

The Sac and Fox Nation shall not:

1. Make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble or to petition for a redress of grievances.
2. Violate the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, nor issue warrants, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized.
3. Subject any person for the same offense to be twice put in jeopardy.
4. Compel any person in any criminal case to be a witness against himself.
5. Take any private property for a public use without just compensation.
6. Deny to any person in a criminal proceeding the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and at his own expense to have the assistance of counsel for defense.
7. Require excessive bail, impose excessive fines, or inflict cruel and unusual punishment.
8. Deny to any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of law.
9. Pass any bill of attainder or ex facto law.
10. Deny to any person accused of an offense punishable by imprisonment the rights, upon request, to a trial by jury of not less than six (6) persons.

## ARTICLE XI - AMENDMENTS

Amendments to this constitution may be proposed by a majority vote of the Business Committee or by a petition signed by thirty percent (30%) of the members of the Governing Council and if approved by the Secretary of the Interior, shall be submitted to a referendum vote of the adult members of the tribe, and shall be effective if ratified by a majority vote.

## ARTICLE XII - SAVINGS CLAUSE

All resolutions and ordinances currently in force shall, insofar as they are not inconsistent with this constitution, remain in full force and effect until such time as they may be changed by the appropriate tribal authority.

ARTICLE XIII - RATIFICATION

This constitution shall be effective when approved by the Secretary of the Interior and ratified by a majority vote of the adult members of the Sac and Fox Nation voting at an election called by the Secretary of the Interior for that purpose, provided at least thirty percent (30%) of those entitled to vote cast their ballots under the rules and regulations which he may prescribe pursuant to Section 3 of Oklahoma Indian Welfare Act of June 26, 1936, (49 Stat. 1967).

ARTICLE XIV

CERTIFICATION OF APPROVAL

I, [S] Ross D. Swimmer Assistant Secretary - Indian Affairs by virtue of the authority granted to the Secretary of the Interior by the Act of June 26, 1936, (49 Stat. 1967), and re delegated to me by 209 D.M. 8.3, do hereby approve this Constitution of the Sac and Fox Nation. 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 document that would be contrary to Federal Law.

Ross D. Swimmer  
Assistant Secretary - Indian Affairs

Washington, DC

Date June 19, 1987



FILED

DATE April 9, 1991

SECRETARY  
SAC & FOX NATION

*Mary E. McJannet*

CONSTITUTION AND BYLAWS  
OF THE  
SAC AND FOX NATION OF OKLAHOMA

AMENDMENT A1

SECTION 3, ARTICLE II - Governing Council, shall be amended to read as follows:

Article II - Governing Council:

Section 3 - The Governing Council of the Sac and Fox Nation shall have the authority to take final action on any matter within its delegated powers at a regular or special meeting of the Governing Council. No referendum vote of the Governing Council shall be necessary.

RECEIVED  
DEC 1989  
SAC & FOX NATION  
OKLAHOMA

FILED

DATE April 9, 1991

SECRETARY  
SAC & FOX NATION

*Mary E. McQuinn*

APPROVAL

AMENDMENT A1

Pursuant to authority delegated by 209 DM 8 and 10 BIAM 3.1, I, L.W.

Collier, Jr., Acting Area Director, do hereby approve the foregoing

Amendment A1 to the Constitution and ByLaws of the Sac and Fox Nation of

Oklahoma, which if ratified by a majority vote of the eligible tribal

voters will become Amendment No. 1.

Approval Recommended:

*J. Suzanne Cheney*  
Tribal Government Services Officer

*L.W. Collier Jr.*  
Area Director

Ahadarko, Oklahoma

Date: 12/12/89



RECEIVED

APR 06 1990

FILED



SAC & FOX NATION  
United States Department of the Interior

DATE *April 9, 1990*

BUREAU OF INDIAN AFFAIRS  
SHAWNEE AGENCY  
110 North Bell • Suite 200  
Shawnee, Oklahoma 74801

SECRETARY  
SAC & FOX NATION.

*Mary E. [Signature]*

IN REPLY REFER TO:

EXECUTIVE DIRECTION

April 5, 1990

Elmer Manatowa, Principal Chief  
Sac and Fox Nation  
Route 2, Box 246  
Stroud, Oklahoma 74079

Dear Chief Manatowa:

This letter accompanies the following original documents; Amendment A1 to the Constitution and By-Laws of the Sac and Fox Nation of Oklahoma, and the Approval of Amendment A1 as confirmed by Mr. L. W. Collier, Jr., Acting Area Director, Anadrko Area Officer on December 12, 1989.

As you know, the Secretarial election to ratify or reject proposed Amendment A1 was held on March 17, 1990. The amendment was ratified by a vote of 165 for, 150 against, and there were 12 spoiled or mutilated ballots; 66% of the members entitled to vote cast their ballot.

These documents should be attached to the Constitution and By-Laws and retained as the originals. Copies have been provided to the appropriate Bureau offices.

On behalf of the Assistant Secretary, Area Director and myself, I commend you, your staff and the members of the Election Board for all of the excellent assistance and cooperation extended to me in conducting this Secretarial Election.

I particularly extend my thanks to the Election Board members and alternates; Ms. Glenna Carroll, Ms. Georgia Blanchard, Ms. Betty Walker, and Mr. Don Abney for their spirit of cooperation and willingness to learn and apply federal election procedures and regulations. At all times, they conducted themselves in a highly professional and exemplary manner.

Sincerely,

*Bill C. Haney*  
Superintendent/Chairman  
Election Board

cc: Election Board members (4)



# United States Department of the Interior

## BUREAU OF INDIAN AFFAIRS SHAWNEE AGENCY

110 North Bell • Suite 200  
Shawnee, Oklahoma 74801

IN REPLY REFER TO:  
Executive Direction

February 5, 1992

Mr. Elmer Manatowa, Principal Chief  
Sac and Fox Nation  
Route 2, Box 246  
Stroud, Oklahoma 74079

FILED  
DATE February 12/92  
SECRETARY  
SAC & FOX NATION  
*Mary L. McCombs*

Dear Mr. Manatowa:

On December 28, 1991, a Secretarial Election was conducted to let the registered voters of the Sac and Fox Nation vote to accept or reject proposed amendment 1A to its Constitution and Bylaws. The voters duly adopted the proposed amendment by a vote of 163 to 72. The certification of the results of the election were forwarded to the Anadarko Area Office on January 7, 1992.

On January 10, 1992, the Area Director approved the amendment, which has been assigned Amendment No. III. Enclosed are copies of the following:

1. The original of the Area Director's approval letter,
2. The original of the amendment and completed Certificate of Results of Election, and
3. The original of the Certificate of Approval for Amendment III.

Previously, you were sent the original May 14, 1991, authorization letter to conduct the election. We will forward under separate cover the list of qualified voters used for the purpose of this election.

If you have any question, please contact Terry Bruner, Anadarko Area Tribal Government Services Officer, (405)247-6673 ext. 209.

Sincerely,

*J. Suzanne Chaney*

Acting Superintendent

Enclosures



IN REPLY REFER TO:

# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
ANADARKO AREA OFFICE  
P. O. BOX 368  
ANADARKO, OKLAHOMA 73005



JAN 10 1992

Mr. James DeHaas, Superintendent  
Shawnee Agency  
Federal National Bank Bldg.  
116 W. Bell, Suite 200  
Shawnee, Oklahoma 74801

FILED  
*February 12, 1992*  
SECRETARY  
SAC & FOX NATION:  
*May J. McNeill*



Dear Mr. DeHaas:

We have received your January 7th memorandum which transmitted the formal results of the election held December 28, 1991 for the Sac & Fox Nation. The election was called in accordance with our authorization for proposed amendment 1A.

The complete Certificate of Results of Election verify that the proposed amendment was duly adopted by the qualified voters of the tribe.

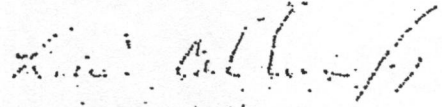
You will note that there have been two previous amendments to the Sac & Fox Constitution. Therefore, we have assigned number III to this amendment. This is shown by the completed Statement of Numerical Designation on the enclosed originals of the amendment as required by 25 CFR 81.20(b)(3).

As evidenced by my signature on the Certificate of Approval, the amendment is hereby approved pursuant to the authority of the Secretary redelegated to me by 10 BIAM 3.1. Please deliver the following to the tribe:

1. The original of the May 14, 1991 authorization letter,
2. The original of this approval letter,
3. The original of the amendment and completed Certificate of Results of Election,
4. The original of the Certificate of Approval for Amendment III, and
5. Copies of any other materials that would be appropriate for retaining in the tribal archives related to the now completed process - including a list of qualified voters.

You are reminded that 25 CFR 81.8(b)(6)(iii) requires you to retain the ballots and other materials among official records for at least one year.

Sincerely,

A handwritten signature in dark ink, appearing to read "Area Director" with a stylized flourish at the end.

Area Director

PROPOSED AMENDMENT  
CONSTITUTION AND BYLAWS  
OF THE  
SAC AND FOX NATION OF OKLAHOMA

*Lucas*  
*Amendment*  
*# 3 by BZA*  
*Room*  
*Office*  
FILED  
February 12, 1961  
SECRETARY  
SAC & FOX NATION.  
*Mary F. McQuinn*

Proposed Amendment 1A

The current Section 2 Article III - Business Committee, should be amended to read as follows:

Section 2. The Business Committee shall have authority to act on behalf of the tribe in all matters, except the Governing Council of the Sac and Fox Nation shall have the authority to take final action on any matter at a regular or special meeting of the Governing Council; the final action so taken by the Governing Council shall be binding on all elected officers and the Business Committee. No referendum vote of the Governing Council shall be necessary.

NUMERICAL DESIGNATION

Having been duly adopted and approved, Proposed Amendment 1A is hereby designated as Amendment III to the Constitution and Bylaws of the Sac and Fox Nation of Oklahoma.

*K. W. Collier*

FILED

DATE February 12, 1991

SECRETARY  
SAC & FOX NATION.

Mary E. McComick

CERTIFICATION OF RESULTS OF ELECTION

Pursuant to a Secretarial election authorized by the Area Director, Anadarko Area Office, on 7-16-91 the attached amendment of the Sac and Fox Nation of Oklahoma was submitted to the qualified voters and on 12-28-91 was duly (ratified) (rejected) by a majority vote of 163 for and 72 against and 8 cast ballots found spoiled and mutilated in an election in which 243 of the members entitled to vote cast their ballots in accordance with 49 Stat. 1967.

*Jim Cox*  
Chairman, Election Board

*Don W. Almy*  
Member, Election Board

*Carroll W. ...*  
Member, Election Board

Member, Election Board

Date:



FILED

February 12, 1992

SECRETARY  
SAC & FOX NATION.

*Mary F. McComie*

CERTIFICATION OF APPROVAL  
AMENDMENT NO. III

I, L. W. Collier, Jr., Area Director, Anadarko Area Office, Secretary of Interior by the Act of the authority granted to the P.L. 100-581, which was delegated to the Assistant Secretary - Indian Affairs by 209 DM 8.3 and redelegated to me by 10 BIAM 3.1, do hereby approve and foregoing Amendment No. III to the Constitution and Bylaws of the Sac and Fox Nation of Oklahoma. This amendment was duly adopted by a majority of the qualified voters who cast ballots in the December 28, 1991 election.

Date: JAN 10 1992

*L. W. Collier, Jr.*

Area Director  
Anadarko Area Office  
Bureau of Indian Affairs  
P. O. Box 368  
Anadarko, OK 73005

FILED

DATE February 12, 1992

SECRETARY  
SAC & FOX NATION.

*Mary F. McConit*

CERTIFICATION OF APPROVAL  
AMENDMENT NO. III

I, L. W. Collier, Jr., Area Director, Anadarko Area Office, by virtue of the authority granted to the Secretary of Interior by the Act of June 26, 1936, (49 Stat. 1967), and redelegated to me by 209 DM 8.3 and redelegated to me by 10 BIAM 3.1, do hereby approve the foregoing Amendment No. III to the Constitution and Bylaws of the Sac and Fox Nation of Oklahoma. This amendment was duly adopted by a majority of the qualified voters who cast ballots in the December 28, 1991 election.

Date:

1-10-1992

*L. W. Collier, Jr.*

Area Director  
Anadarko Area Office  
Bureau of Indian Affairs  
P. O. Box 368  
Anadarko, OK 73005

CONSTITUTION  
OF THE  
SAC AND FOX NATION

FILED  
DATE October 6, 19  
SECRETARY  
SAC & FOX NATION  
Wang F. M. Carver

Amendment II approved by Council on August 26, 1995.

ARTICLE I - MEMBERSHIP OF TRIBE

SECTION 2. All persons of one-eighth (1/8) or more degree of total combined Sac and Fox Indian blood at least one of whose parents is a member of the Sac and Fox Nation.

SECTION 3. All person now living and eligible for membership under Article II of the Constitution and By-Laws of the Sac and Fox Nation, amended August 26, 1967.

- d. Each child who is of one-eighth (1/8) or more Sac and Fox Indian blood born on or after October 16, 1954, one of whose parents is a member of the tribe.
- e. Persons born after date of October 16, 1954, who possess one-eighth (1/8) or more Sac and Fox Indian blood, shall be entitled to membership with the Sac and Fox Nation, provided an application is submitted in writing to the Sac and Fox Nation and provided that such person has not been enrolled with another tribe.

Numerical Designation

Having been duly adopted and approved, Proposed Amendment A is hereby designated as Amendment No. II to the Constitution of the Sac and Fox Nation.

**PROPOSED AMENDMENT**

**CONSTITUTION  
OF THE  
SAC AND FOX NATION**

**Proposed Amendment A**

The current ARTICLE I - MEMBERSHIP OF TRIBE shall be amended to read:

Section 3. All persons now living and eligible for membership under Article I of the Constitution of the Sac and Fox Nation, amended August 26, 1967.

- e. Persons born after date of October 16, 1954; who possess one-eighth (1/8) or more Sac and Fox Indian blood, shall be entitled to membership with the Sac and Fox Nation, provided an application is submitted in writing to the Sac and Fox Nation and provided that such person, if enrolled with another tribe, shall first file a conditional relinquishment with the other tribe.

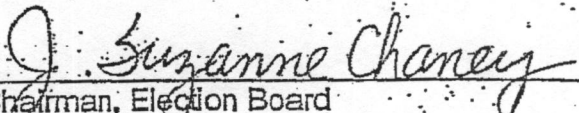
Numerical Designation:

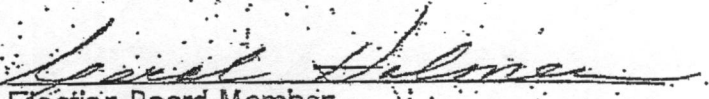
Having been duly approved and ratified, Proposed Amendment A is hereby designated as Amendment No. 4 to the Constitution of the Sac and Fox Nation.

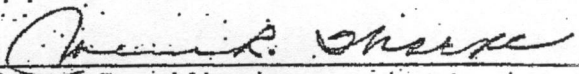
## Amendment A

### CERTIFICATE OF RESULTS OF ELECTION

Pursuant to the authority delegated to the Regional Director by 209 DM 8 and 10 BIAM 3.1, a Secretarial Election authorized by the Regional Director on July 17, the attached amendment to the Constitution of the Sac and Fox Nation was submitted to the qualified voters of the Sac and Fox Nation on 10/26/02, and was ~~ratified~~ rejected by a vote of 154 for and 27 against, and 9 cast ballots found separated or mutilated, in an election which at least thirty percent (30%) of the 305 entitled to vote cast their ballots in accordance with Article XIII of the Nation's Constitution.

  
Chairman, Election Board

  
Election Board Member

  
Election Board Member

Date: 10/26/02

**PROPOSED AMENDMENT**

**CONSTITUTION  
OF THE  
SAC AND FOX NATION**

**Proposed Amendment B**

The current ARTICLE I - MEMBERSHIP OF TRIBE shall be amended to read:

Section 3. All persons now living and eligible for membership under Article I of the Constitution of the Sac and Fox Nation, amended August 26, 1967.

- f. Persons making application for membership shall be entitled to file application under Section 3(c) only two times, and if rejected both times, they shall not be entitled to further consideration under 3(c).

Numerical Designation

Having been duly approved and ratified, Proposed Amendment B is hereby designated as Amendment No. 5 to the Constitution of the Sac and Fox Nation.

Amendment B

CERTIFICATE OF RESULTS OF ELECTION

Pursuant to the authority delegated to the Regional Director by 209 DM 8 and 10 BIAM 3.1, a Secretarial Election authorized by the Regional Director on July 17, 2002, the attached amendment to the Constitution of the Sac and Fox Nation was submitted to the qualified voters of the Sac and Fox Nation on 10/26/02, and was ratified/rejected by a vote of 132 for and 55 against, and 6 cast ballots found separated or mutilated, in an election which at least thirty percent (30%) of the 305 entitled to vote cast their ballots in accordance with Article XIII of the Nation's Constitution.

J. Suzanne Chaney  
Chairman, Election Board

Paul Wilmer  
Election Board Member

Chuck Sharpe  
Election Board Member

Date: 10/26/02



# SAC AND FOX NATION

Route 2, Box 246 • Stroud, Oklahoma 74079 • (918) 968-1141 • FAX (918) 968-1142

RESOLUTION SF-04-93

SAC AND FOX NATION  
REGULAR BUSINESS COMMITTEE MEETING  
SAC AND FOX RESERVATION  
STROUD, OKLAHOMA

FILED

DATE 8/26/04

SECRETARY  
SAC & FOX NATION

MAY 25, 2004

**A RESOLUTION RECOGNIZING THE SAC AND FOX NATION'S 1987 CONSTITUTION WITH THE AMENDMENTS ATTACHED AS THE OFFICIAL CONSTITUTION.**

**WHEREAS,** the Business Committee of the Sac and Fox Nation met in a Regular meeting held the 25<sup>th</sup> day of May 2004; there being a quorum present, and

**WHEREAS,** the Business Committee is authorized to transact business and act on behalf of the Sac and Fox Nation pursuant to the Constitution and Laws of the Nation, and

**WHEREAS,** it is in the best interest of the Sac and Fox Nation to approve the 1987 Constitution as the official document for the Nation.

**NOW, THEREFORE BE IT RESOLVED THAT** the Business Committee of the Sac and Fox Nation does hereby recognize the 1987 Constitution as the Nation's official document.

**BE IT FURTHER RESOLVED THAT** all amendments approved by Governing Council in secretarial elections since 1987 are attached and made part of the official Constitution.

## CERTIFICATION

WE, Kay Rhoads, Principal Chief and George Thurman, Secretary of the Sac and Fox Nation do hereby certify **Resolution SF-04-93** to be true and exact as approved by the Business Committee in a Regular meeting held at the Sac and Fox Reservation, Stroud, Oklahoma on the 25<sup>th</sup> day of May 2004, by a vote of: Kay Rhoads-Yes; Darrell Gray-Yes; George Thurman-Yes; Truman Carter- Yes; Austin Grant-Yes.

\_\_\_\_\_  
Kay Rhoads, Principal Chief  
Sac and Fox Nation

\_\_\_\_\_  
George Thurman, Secretary  
Sac and Fox Nation



Health Clinic Grant Request, New Business (b)

The Special Business Committee meeting for the month of June will take place on the 14<sup>th</sup> and the Regular meeting will take place on the 28<sup>th</sup>.

## ENROLLMENT

### Adding Four to Membership Rolls

Secretary George Thurman made a motion by Resolution SF-04-92 adding four persons to the membership rolls of the Sac and Fox Nation in accordance with the Constitution and laws of the Sac and Fox Nation, those four being Josiah Thadeus Bass, Christie May Blackbear, Ryan Austin McKinley and Michael Joseph Lesburns. Committee Member Austin Grant seconded the motion. Vote: Kay-yes, George-yes, Austin-yes. Motion carried.

## OLD BUSINESS

### 1987 Constitution Ratification

The Business Committee have discussed sending a letter to the BIA that states the Sac and Fox Nation recognizes the 1987 Constitution although once before the Business Committee recommended the constitution that has former Secretary Mary McCormick's file stamp affixed on it. The Secretary explained that particular constitution repeats itself. The amendments are found in the back of the documents as well as in the body of the constitution. The Business Committee desires to have a constitution that has the original wording in the body and any amendments in the back, such as the 1987.

Secretary George Thurman made a motion by Resolution SF-04-93 recognizing the 1987 Constitution with the amendments attached to the back as the official Constitution that the Business Committee recognizes. Committee Member Austin Grant seconded the motion.

The Secretary said the latest constitutional amendment regarding enrollment needs to be attached to the back of the 1987 Constitution. The Principal Chief asked if this would include the Roane? The necessary amendments to be attached will be forwarded to the BIA along with the recognized constitution. The 1987 Constitution will appear on the tribal website.

Vote: George-yes, Austin-yes, Kay-yes. Motion carried.

### Gaming Commission Discussion

The Secretary said this agenda item was placed on the agenda in case the Business Committee had to make an appointment to the Gaming Commission, but the matter was taken care of early in the week. Two people now serve on the Gaming Commission.

## PROPOSED AMENDMENT

### CONSTITUTION OF THE SAC AND FOX NATION

Proposed Amendment A

#### ARTICLE II - GOVERNING COUNCIL

Section 3. As required by Article VIII, Section 2, following the meetings of the Governing Council, the Election Board shall conduct an election pursuant to the election ordinance on the issues presented at a meeting of the Governing Council where action was taken to place a matter upon the ballot, provided, that no referendum vote shall be necessary to approve the tribal claims and tribal programs budget.

#### ARTICLE III - BUSINESS COMMITTEE

Section 2. The Business Committee shall have power to appoint subordinate committees and representatives, 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, and to hire and employ legal counsel to represent the tribe; provided, that when the Governing Council acts within the powers specifically delegated to it by this Constitution, such action shall be binding on all elected officers and the Business Committee.

Numerical Designation

Having been duly approved and ratified, Proposed Amendment A is hereby designated as Amendment No. VI to the Constitution of the Sac and Fox Nation.

## Amendment A

### CERTIFICATE OF RESULTS OF ELECTION

Pursuant to the authority delegated to the Regional Director by 209 DM 8 and 10 BIAM 3.1, a Secretarial Election authorized by the Regional Director on June 16, 2004, the attached amendment to the Constitution of the Sac and Fox Nation was submitted to the qualified voters of the Sac and Fox Nation on August 20, 2004, and was ~~ratified~~ rejected by a vote of 187 for and 143 against, and 12 cast ballots found separated or mutilated, in an election which at least thirty percent (30%) of the 467 entitled to vote cast their ballots in accordance with Article XIII of the Nation's Constitution.

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Suzanne Chaney  
Chairman, Election Board

Don W. Alvey  
Election Board Member

Wanada Loreman  
Election Board Member

Date: August 20, 2004