

CONSTITUTION AND BY-LAWS OF THE SENECA-CAYUGA TRIBE OF OKLAHOMA

PREAMBLE

We, the Seneca-Cayuga Indians of Oklahoma, sometimes designated as the Seneca Tribe, in order to take advantage of the opportunities of economic independence and social advancement offered by the Thomas-Rogers Oklahoma Indian Welfare Act of June 26, 1936, do hereby amend our present Constitution and By-laws and do adopt the following Constitution and By-laws pursuant to that Act.

ARTICLE I – NAME

The name of this organization shall be the Seneca-Cayuga Tribe of Oklahoma.

ARTICLE II – OBJECT

The object shall be to promote the general welfare of the Seneca-Cayuga Tribe of Oklahoma.

ARTICLE II – MEMBERSHIP OF TRIBE

The membership of the Seneca-Cayuga Tribe of Oklahoma shall consist of the following persons:

1. All persons of Indian blood whose names appear on the official census roll of the Tribe as of January 1, 1937.
2. All children born since the date of the said roll, both of whose parents are members of the Tribe.
3. Any child born of a marriage between a member of the Seneca-Cayuga Tribe and a member of any other Indian tribe who chooses to affiliate with the Seneca-Cayuga Tribe.
4. Any child born of a marriage between a member of the Seneca-Cayuga Tribe and any other person, if such child is admitted to membership by the Council of the Seneca-Cayuga Tribe.

ARTICLE IV – MEMBERSHIP OF COUNCIL

The supreme governing body of the Tribe shall be the Seneca-Cayuga **General** Council. The membership of the ~~Seneca-Cayuga General~~ Council shall be all ~~members of the Seneca-Cayuga Tribe of Oklahoma Indians residing in Oklahoma; males, 21 years of age; and females, 18~~ **eighteen** years of age and older^{1A},^{3D}.

^{1A} Amended January 28, 1973 – First of three amendments.

^{3D} Amended October 15, 1990 – Second of four amendments.

ARTICLE V – OFFICERS

The officers of the Tribe shall be the **Chief, Second Chief, Secretary-Treasurer, interpreter, and three** ~~four (4) Councilmen~~, who shall be elected ~~by secret ballot at an open Council meeting by a majority vote of the membership present~~^{3E}.

^{3E} Amended October 15, 1990 – Third of four amendments.

ARTICLE VI – BUSINESS COMMITTEES

There shall be a Business Committee which shall consist of the officers and councilmen as provided in Article V. The Business Committee shall have power to transact business and otherwise speak or act on behalf of the Seneca-Cayuga Tribe, in all matters on which the Tribe is empowered to act. ~~The powers of~~

~~the Tribe shall be set forth in detail in the corporate charter to be requested by the Business Committee^{3C}.~~

^{3C} Amended October 15, 1990 – First of four amendments.

ARTICLE VII – STANDING COMMITTEES

SECTION 1. Grievance Committee.

This committee shall be elected by the Council and shall not include any members of the Business Committee.

SECTION 2. Credit Committee.

The Credit Committee shall be chosen by the Business Committee and shall act under the supervision of the Business Committee.

SECTION 3. Welfare Committee.

This committee shall be chosen in the same manner as the Credit Committee.

SECTION 4. Education Committee.

This committee likewise shall be chosen in the same manner as the Credit Committee.

ARTICLE VIII – ANNUAL MEETINGS

Annual meetings shall be held on the first ~~Tuesday~~ **Saturday** of June of each year for the election of officers and receiving reports and any other business which may come regularly before the Council. ~~In order to provide for staggered terms of office, in the first regular election under this amendment, the Chief, and two (2) Councilmen shall be elected in a two (2) year term of office, and the Secretary-Treasurer, two Councilmen and Second Chief shall be elected to a one (1) year term of office. Hereafter, each member of the Business Committee shall be elected to a two (2) year term of office, and shall serve until his successor shall be duly elected and installed in office. Regular elections of the Business Committee shall be held annually pursuant to a Tribal election ordinance prescribed by the Business Committee. The term of officers shall be for two years or until their successors are elected and installed. Regular elections shall be held each odd numbered year. Nominations shall be from the floor. Election shall be by standing vote or by written ballot, a majority vote being necessary to elect. Where there are more than two candidates and no one receives a majority vote the low candidate shall be eliminated and voting proceed until one candidate receives a majority of votes cast. The newly elected officers shall be installed immediately upon their election^{2A, 3F}.~~

^{2A} Amended February 11, 1985 – First of two amendments.

^{3F} Amended October 15, 1990 – Fourth of four amendments.

ARTICLE IX – VACANCIES

Vacancies in any elective office shall be filled at any regular or special meeting of the Seneca-Cayuga Council.

ARTICLE X – REMOVAL OF OFFICERS

The Grievance Committee shall investigate complaints of misconduct or other acts of the members of the Business Committee and upon a proper showing shall call a special meeting of the Seneca-Cayuga

Council to act upon such complaints. Such council shall have power, by majority vote, after giving the accused a hearing, to remove him from office and proceed to elect a successor.

ARTICLE XI – AMENDMENTS

Amendments to this Constitution and the attached By-laws may be proposed by a majority vote of the Business Committee or by a petition signed by 30 percent of the adult members of the Tribe, and if approved by the Secretary of the Interior shall be submitted to a referendum vote of the members of the Tribe, and shall be effective if approved by a majority vote.

ARTICLE XII – BILL OF RIGHTS

All members of the Seneca-Cayuga Tribe shall be accorded equal protection of the law under this constitution. No member shall be denied any of the rights or guarantees enjoyed by citizens under the Constitution of the United States, including, but not limited to, freedom of religion and conscience, freedom of speech, the right to orderly association or assembly, the right to petition for action or the redress of grievances, and the due process of law. The protection guaranteed to persons by Title II of the Civil Rights Act of 1968 (82 Stat. 77), against actions of an Indian entity in the exercise of its powers of self-government shall apply to all members of the Seneca-Cayuga Tribe^{1C}.

^{1C} Amended January 28, 1973 – Third of three amendments.

BY-LAWS

ARTICLE I – DUTIES OF OFFICERS

SECTION 1. Chief.

It shall be the duty of the chief to preside at all meetings and perform all duties appertaining to the office, also to act as chairman of the Business Committee.

SECTION 2. Second Chief.

In the absence of the chief, the second chief shall perform the duties of that officer. In case of vacancy, the second chief shall succeed at once to the office of the chief until the next special or regular election for the office of chief.

SECTION 3. Secretary-Treasurer.

The Secretary-Treasurer shall correctly record the proceedings of all meetings. He shall make out the order of the business for the chief, shall notify all committees of their appointments, shall have custody of the records and all papers of the Council, which records and papers shall be open to inspection at any time, in his presence, by any member of the Council desiring to read them. He shall keep a correct list of all members of the Council, shall authenticate all accounts or orders of the council and, in the absence of the chief and second chief, shall call the meeting to order until a chairman pro tem is selected. He shall render a written report at the annual meeting and at the expiration of his term of office the records and all papers in his possession shall be turned over to his successor. He shall issue notices of all meetings and conduct all general correspondence, as directed by the council or the Business Committee. He shall receive all moneys of the council and keep an accurate account of receipts and disbursements. The Secretary-Treasurer shall keep all tribal moneys entrusted to his care in a special account and all disbursements therefrom should be made by check. At any time that such account shall

amount to more than \$50.00, he shall file a bond satisfactory to the Business Committee and the Commissioner of Indian Affairs. The cost of such bond shall be paid out of tribal moneys.

ARTICLE II – QUALIFICATIONS OF OFFICERS

Any person elected to membership in the Business Committee shall be not less than twenty-five years of age, a member of the Seneca-Cayuga Tribe of Oklahoma and ~~reside within a radius of 150 miles in any direction from the Bassett Grove Stomp Grounds a resident of Delaware or Ottawa Counties in Oklahoma. Any member of the Business Committee removing from such territory shall automatically lose his office~~^{1B}.

^{1B} Amended January 28, 1973 – Second of three amendments.

ARTICLE III – REGULAR AND SPECIAL MEETINGS

SECTION 1.

The regular meetings of the Council shall be held on the first ~~Tuesday~~ ~~Saturday~~ of June of each year at the ~~tribal stomp ground~~ Bassett Grove Ceremonial Stomp Grounds, unless some other point under the Seneca-Cayuga jurisdiction is specifically designated in the call^{2C}.

^{2C} Amended February 11, 1985 – Second of two amendments.

SECTION 2.

Special meetings of the council may be called at the discretion of the chief, and shall be called by him upon the written request of the majority of the Business Committee or the written request of 30 members of the Tribe.

SECTION 3.

The principal object of the special meeting must be stated in the call for same and may include the words "and for the transaction of other business that may be presented." Unless these words are added, no other business can be transacted except for the object stated in the call.

SECTION 4.

The regular meetings of the Business Committee shall be held the first Tuesday in each month unless otherwise provided by resolution.

SECTION 5.

Special meetings of the Business Committee may be called by the chief at his discretion, and shall be called by him upon the written request of three members of the Business Committee.

ARTICLE IV – QUORUM

SECTION 1.

Four members of the Business Committee constitutes a quorum at-any meeting.

SECTION 2.

Thirty members of the Seneca-Cayuga Council shall constitute a quorum to transact regular business.

ARTICLE V – ADOPTION

This Constitution and By-laws shall be effective when approved by the Secretary of the Interior and ratified by a majority vote of the Indians of the Seneca-Cayuga Tribe voting at an election called by the

Secretary of the Interior under regulations which he may prescribe pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936.

CERTIFICATION OF ADOPTION

Pursuant to an order, approved April 26, 1937 by the Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the members of the Seneca-Cayuga Tribe and was on May 15, 1937, duly ratified by a vote of 186 for, and in an none against, election in which over 20 percent of those entitled to vote cast their ballots, pursuant to section 3 of the Oklahoma Indian WelfareB Act of June 26, 1936 (Pub., No. 816, 74th Cong.)

THOMAS ARMSTRONG,
Chief, Seneca-Cayuga Tribe.

GROVER C. SPLITLOG,
Secretary-Treasurer, Seneca-Cayuga Tribe.

H. A. ANDREWS,
Superintendent.

I, Harold L. Ickes, the Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 26, 1936 (Pub., No. 816, 74th Cong.), do hereby approve the attached Constitution and By-laws of the Seneca-Cayuga Tribe of Oklahoma.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution and By-laws are hereby declared inapplicable to the Seneca-Cayuga Tribe of Oklahoma.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and By-laws.

Approval recommended April 20, 1937.

JOHN COLLIER,
Commissioner of Indian Affairs.

HAROLD L. ICKES,
Secretary of the Interior.

WASHINGTON, D. C., *April 26, 1937.*