

Ute

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS



CONSTITUTION AND BY-LAWS OF THE
UTE INDIAN TRIBE OF THE
UINTAH AND OURAY RESERVATION
UTAH



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CONSTITUTION AND BY-LAWS OF THE UTE INDIAN TRIBE OF THE UINTAH AND OURAY RESERVATION

PREAMBLE

We, the Ute Indians of the Uintah, Uncompahgre and Whiteriver Bands hereafter to be known as the Ute Indian Tribe of the Uintah and Ouray Reservation, in order to establish a more responsible tribal organization, promote the general welfare, encourage educational progress, conserve and develop our lands and resources, and secure to ourselves and our posterity the power to exercise certain rights of home rule, not inconsistent with the Federal, State and local laws, do ordain and establish this Constitution for the Ute Indian Tribe of the Uintah and Ouray Reservation.

ARTICLE I—TERRITORY

The Jurisdiction of the Ute Indian Tribe of the Uintah and Ouray Reservation shall extend to the territory within the original confines of the Uintah and Ouray Reservation as set forth by Executive Orders of October 3, 1861 and January 5, 1882, and by the Acts of Congress approved May 27, 1902, and June 19, 1902, and to such other lands without such boundaries as may hereafter be added thereto under any law of the United States, except as otherwise provided by law.

ARTICLE II—MEMBERSHIP

SECTION 1. The membership of the Ute Indian Tribe of the Uintah and Ouray Reservation shall consist as follows:

(a) All persons of Indian blood whose names appear on the official census roll of the Ute Indian Tribe of the Uintah and Ouray Reservation as of July 1, 1935.

(b) All children born to any member of the Ute Indian Tribe of the Uintah and Ouray Reservation who is a resident of the Reservation at the time of the birth of said children.

SEC. 2. The Tribal Business Committee shall have the power to promulgate ordinances, subject to review by the Secretary of the Interior, covering future membership and the adoption of new members.

(a) No property rights shall be acquired or lost through membership in this organization except as provided herein.

ARTICLE III—THE BUSINESS COMMITTEE

SECTION 1. The governing body of the Ute Indian Tribe of the Uintah and Ouray Reservation shall be a business committee, known as the Uintah and Ouray Tribal Business Committee.

SEC. 2. The Tribal Business Committee shall consist of six members, two (2) members duly elected from each of the three (3) bands of the Ute Indian Tribe of the Uintah and Ouray Reservation, known as the Uintah, Uncompahgre and Whiteriver Bands.

SEC. 3. The members of the Tribal Business Committee shall be elected for a term of four (4) years, except at the first election, when one (1) member from each band shall be elected for a term of two (2) years; thereafter, their successors shall be elected for a term of four (4) years.

SEC. 4. The Tribal Business Committee, so organized, shall elect from within its own number (1) a chairman, (2) a vice-chairman; and from within or without, (3) a secretary, and (4) a treasurer, and such other officials and committees as may be deemed necessary.

SEC. 5. The first election of the Tribal Business Committee hereunder shall be called, held and supervised by the present Tribal Business Committee within sixty (60) days after the ratification and approval of this Constitution.

The candidate from each band receiving the highest number of votes shall hold office for a term of four (4) years, and the candidate from each band receiving the next highest number of votes shall hold office for two (2) years; thereafter, every two (2) years a Tribal Business Committeeman shall be elected from each band to represent such bands for a term of four (4) years.

After the first election, elections for the Tribal Business Committee shall be called at least sixty (60) days prior to the expiration of the terms of office of the members of the Tribal Business Committee.

ARTICLE IV—NOMINATIONS AND ELECTIONS

SECTION 1. Any member of the Ute Indian Tribe of the Uintah and Ouray Reservation twenty-one (21) years of age or over, who has maintained a legal residence on the Uintah and Ouray Reservation for a period of one (1) year preceding the election, shall be entitled to vote and hold office.

SEC. 2. Any legal voter is eligible to serve as a member of the Tribal Business Committee.

SEC. 3. All elections shall be by secret ballot and shall be held in accordance with rules and regulations prescribed by the Tribal Business Committee, or by an election board appointed by the Tribal Business Committee.

ARTICLE V—VACANCIES AND REMOVAL FROM OFFICE

SECTION 1. If a member of the Tribal Business Committee or an elective official shall die, resign, be removed or recalled from office, permanently leave the reservation, or be found guilty of a felony or misdemeanor involving dishonesty in any Indian, State or Federal court, the position shall be declared vacant, at the discretion of the Tribal Business Committee, and they shall designate a time to hold a special election to fill the vacancy.

SEC. 2. The Business Committee may by four (4) affirmative votes, expel any member for neglect of duty or gross misconduct. Before any vote for expulsion is taken on the matter, such member or official

shall be given a written statement of the charges against him at least five (5) days before the meeting of the Business Committee, before which he is to appear, and an opportunity to answer any and all charges at such designated Committee meeting. The decision of the Business Committee shall be final.

SEC. 3. Upon receipt of a petition signed by one-third of the eligible voters in any band calling for the recall of any member of the Committee representing said band, it shall be the duty of the Committee to call an election on such recall petition. No member may be recalled in any such election unless at least thirty percent of the legal voters of the band which he represents shall vote at such election.

ARTICLE VI—POWERS OF THE TRIBAL BUSINESS COMMITTEE

SECTION 1. *Enumerated powers.*—The Tribal Business Committee of the Uintah and Ouray Reservation shall exercise the following powers, subject to any limitations imposed by the statutes or the Constitution of the United States, and subject further to all express restrictions upon such powers contained in this Constitution and By-laws, and subject to review by the Ute Bands themselves at any annual or special meeting:

(a) To negotiate with the Federal, State and local governments on behalf of the Tribe and to advise and consult with the representatives of the Interior Department on all activities of the Department that may affect the Ute Indian Tribe.

(b) To employ legal counsel for the protection and advancement of the rights of the Ute Indian Tribe of the Uintah and Ouray Reservation, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior.

(c) To approve or veto any sale, disposition, lease or encumbrance of tribal lands, interest in tribal lands, or other tribal assets, which may be authorized or executed by the Secretary of the Interior, Commissioner of Indian Affairs, or any other official or agency of government, provided that no tribal lands shall ever be encumbered or sold, except for governmental purposes, or leased for a period exceeding five years, except that leases for mining purposes or on irrigable land may be made for such longer periods as may be authorized by law.

(d) To advise the Secretary of the Interior with regard to all appropriation estimates, or Federal projects, for the benefit of the Ute Indian Tribe of the Uintah and Ouray Reservation prior to the submission of such estimates to the Bureau of the Budget and to Congress.

(e) To make assignments of reservation land to members of the Ute Indian Tribe of the Uintah and Ouray Reservation in conformity with Article VIII of this Constitution.

(f) To regulate all economic affairs and enterprises in accordance with the terms of a Charter that may be issued to the Ute Indian Tribe of the Uintah and Ouray Reservation by the Secretary of the Interior.

(g) To appropriate for salaries of tribal officials or other public purposes of the Tribe any available tribal funds, provided that any

such appropriation made prior to July 1, 1940, shall be subject to review by the Secretary of the Interior.

(h) To levy taxes upon members of the Ute Indian Tribe of the Uintah and Ouray Reservation, and to require the performance of community labor in lieu thereof, and to levy taxes and license fees, subject to review by the Secretary of the Interior, upon non-members doing business within the Reservation.

(i) To exclude from the territory of the Uintah and Ouray Reservation persons not legally entitled to reside therein, under ordinances which shall be subject to review by the Secretary of the Interior.

(j) To enact resolutions or ordinances, not inconsistent with Article II of this Constitution governing adoption and abandonment of members, and to keep at all times a correct roll of the members of the Ute Indian Tribe of the Uintah and Ouray Reservation.

(k) To promulgate and enforce ordinances, which shall be subject to review by the Secretary of the Interior, governing the conduct of members of the Ute Indian Tribe of the Uintah and Ouray Reservation, and providing for the maintenance of law and order and the administration of justice by establishing a Reservation Indian Court and defining its duties and powers.

(l) To safeguard and promote the peace, safety, morals and general welfare of the Ute Indian Tribe of the Uintah and Ouray Reservation by regulating the conduct of trade and the use and disposition of property upon the Reservation, provided that any ordinance directly affecting nonmembers of the Reservation shall be subject to review by the Secretary of the Interior.

(m) To charter subordinate organizations for economic purposes, and to regulate the activities of co-operative associations of members of the Ute Indian Tribe of the Uintah and Ouray Reservation by ordinance, provided that any such ordinance shall be subject to review by the Secretary of the Interior.

(n) To regulate the inheritance of property, real and personal, other than allotted lands, within the territory of the Uintah and Ouray Reservation, subject to review by the Secretary of the Interior.

(o) To regulate the domestic relations of members of the Ute Indian Tribe of the Uintah and Ouray Reservation by ordinances which shall be subject to review by the Secretary of the Interior.

(p) To provide for the appointment of guardians for minors and mental incompetents by ordinances or resolutions which shall be subject to review by the Secretary of the Interior.

(q) To cultivate and preserve native arts, crafts, culture, and Indian ceremonials.

(r) To adopt resolutions to regulate the procedure of the Tribal Business Committee itself, and all other tribal agencies and tribal officials of the Uintah and Ouray Reservation.

(s) To delegate to subordinate organizations or to co-operative organizations which are open to all members of the Ute Indian Tribe of the Uintah and Ouray Reservation any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated power.

SEC. 2. *Manner of review.*—Any resolution or ordinance which by the terms of this Constitution is subject to review by the Secretary of the Interior, shall be presented to the Superintendent of the Res-

ervation who shall, within ten (10) days thereafter, approve or disapprove the same, and if such ordinance or resolution is approved, it shall thereupon become effective, but the Superintendent shall transmit a copy of the same, bearing his endorsement, to the Secretary of the Interior, who may, within ninety (90) days from the date of enactment, rescind said ordinance or resolution for any cause, by notifying the Tribal Business Committee of such action; provided that if the Superintendent shall refuse to approve any resolution or ordinance submitted to him within ten (10) days after its enactment, he shall advise the Tribal Business Committee of his reasons therefor, and the Committee, if such reasons appear to be insufficient may refer it together with the Superintendent's objections to the Secretary of the Interior, who may pass upon same and either approve or disapprove it within ninety (90) days from its enactment.

SEC. 3. *Future powers.*—The Tribal Business Committee may exercise such further powers as may in the future be delegated to them by the Secretary of the Interior, or by any other duly authorized official or agency of the Government.

SEC. 4. *Reserved powers.*—Any rights and powers heretofore vested in the Tribe or bands of the Uintah and Ouray Reservation but not expressly referred to in this Constitution shall not be abridged by this article, but may be exercised by the people of the Uintah and Ouray Reservation through the adoption of appropriate By-laws and constitutional amendments.

ARTICLE VII—BILL OF RIGHTS

SECTION 1. All members of the Ute Indian Tribe of the Uintah and Ouray Reservation over the age of twenty-one (21) years who have maintained legal residence on the Reservation for a period of one year immediately prior to any election shall have the right to vote in all tribal elections.

SEC. 2. All members of the Ute Indian Tribe of the Uintah and Ouray Reservation shall be accorded equal opportunities to participate in the economic resources and activities of the Reservation.

SEC. 3. All members of the Ute Indian Tribe of the Uintah and Ouray Reservation may enjoy, without hindrance, freedom of speech, worship, conscience, press, assembly and association.

SEC. 4. Any member of the Ute Indian Tribe of the Uintah and Ouray Reservation accused of any offense shall have the right to a prompt, open and public hearing, with due notice of the offense charged, and shall have the right to summon witnesses on his own behalf. Trial by jury may be demanded by any prisoner accused of any offense punishable by more than thirty (30) days imprisonment. Excessive bail shall not be required, and cruel punishment shall not be imposed.

ARTICLE VIII—LAND

SEC. 1. *Allotted lands.*—Allotted lands, including heirship lands, within the Uintah and Ouray Reservation shall continue to be held as heretofore, by their present owners. It is recognized that under existing law such lands may be condemned for public purposes, such

as roads, public buildings, or other public improvements, upon payment of adequate compensation, by any agency of the State of Utah, or of the Federal government, or by the Tribe itself. It is further recognized that under existing law such lands may be inherited by the heirs of the present owner, whether or not they are members of the Ute Indian Tribe of the Uintah and Ouray Reservation. Likewise, it is recognized that under existing law the Secretary of the Interior may, in his discretion, remove restrictions upon such land, upon application by the Indian owner, whereupon the land will become subject to State taxes and may then be mortgaged or sold. The right of the individual Indian to hold or part with his land, as under existing law, shall not be abrogated by anything contained in this Constitution, but the owner of restricted land may, with the approval of the Secretary of the Interior, voluntarily convey his land to the Ute Indian Tribe of the Uintah and Ouray Reservation either in exchange for a money payment or in exchange for an assignment to cover the same land or other land, as hereinafter provided.

SEC. 2. *Tribal lands.*—The unallotted lands of the Uintah and Ouray Reservation, and all lands which may hereafter be acquired by the Ute Indian Tribe of the Uintah and Ouray Reservation or by the United States in trust for the Ute Indian Tribe of the Uintah and Ouray Reservation, shall be held as tribal lands, and no part of such lands shall be mortgaged or sold. Tribal lands shall not be allotted to individual Indians but may be assigned to members of the Ute Indian Tribe of the Uintah and Ouray Reservation, or leased, or otherwise used by the Tribe, as hereinafter provided.

SEC. 3. *Leasing of tribal lands.*—Tribal lands may be leased by the Tribal Business Committee, with the approval of the Secretary of the Interior, for such periods of time as are permitted by law.

In the leasing of tribal lands, preference shall be given, first, to Indian co-operative associations, and, secondly, to individual Indians who are members of the Ute Indian Tribe of the Uintah and Ouray Reservation.

No lease of tribal lands to a non-member shall be made by the Tribal Business Committee unless it shall appear that no Indian co-operative association or individual member of the Tribe is able and willing to use the land and to pay a reasonable fee for such use.

Grazing permits covering tribal land may be issued by the Tribal Business Committee, with the approval of the Secretary of the Interior, in the same manner and upon the same terms as leases.

SEC. 4. *Grant of standard assignments.*—In any assignment of tribal lands which now are owned by the Tribe or which hereafter may be acquired for the Tribe by the United States or purchased by the Tribe out of tribal funds, preference shall be given to heads of families which have no allotted lands or interest in allotted lands.

No allotted member of the Tribe who may hereafter have the restrictions upon his land removed and whose land may thereafter be alienated shall be entitled to receive an assignment of land as a landless Indian.

The Tribal Business Committee may, if it sees fit, charge a fee of not to exceed five dollars (\$5.00) on approval of an assignment made under this section. Assignments made under this section shall

be for the primary purpose of establishing homes for landless Indians, and shall be known as standard assignments.

SEC. 5. *Tenure of standard assignments.*—If any member of the Tribe holding a standard assignment of land shall, for a period of two years, fail to use the land so assigned or shall use such land for any unlawful purpose, his assignment may be cancelled by the Tribal Business Committee after due notice and an opportunity to be heard, and the said land may be reassigned in accordance with the provisions of section 4 of this article.

Upon the death of any Indian holding a standard assignment, his heirs or other individuals designated by him, by will or by written request, shall have a preference in the reassignment of the land, provided such persons are members of the Ute Indian Tribe of the Uintah and Ouray Reservation and are eligible to receive such assignment.

SEC. 6. *Grant of exchange assignments.*—Any member of the Tribe who owns an allotment or any share of heirship land may voluntarily transfer his interest in such land to the Tribe in exchange for an assignment to the same land or other land of equal value. If the assignee prefers, he may receive, in lieu of a specific tract of land, a proportionate share in a larger grazing unit. Assignments made under this section shall be known as exchange assignments.

SEC. 7. *Leasing of exchange assignments.*—Exchange assignments may be used by the assignee or leased by him to Indian co-operative associations, to individual members of the Tribe, or, if no individual Indian or Indian co-operative association is able and willing to rent the land at a reasonable fee, such assignments may be leased to non-members in the same manner as allotted lands.

SEC. 8. *Inheritance of exchange assignments.*—Upon the death of the holder of an exchange assignment, his interest shall be reassigned by the Tribal Business Committee to his heirs and devisees, subject to the following conditions:

(a) The land may not be reassigned to any heir or devisee who is not a member of the Ute Indian Tribe of the Uintah and Ouray Reservation except that a life assignment may be made to the surviving widow or widower of the holder of an assignment.

(b) Such lands may not be reassigned to any heir or devisee who already holds more than an economic unit of grazing land or other land or interest in lands of equal value, to be determined from time to time by the Tribal Business Committee.

(c) Such lands may not be subdivided among heirs or devisees into units too small for convenient management. No area of grazing land shall be subdivided into units smaller than one-hundred-sixty (160) acres, and no area of agricultural land shall be subdivided into units smaller than two-and-one-half ($2\frac{1}{2}$) acres, except that land used for buildings or other improvements may be divided to suit the convenience of the parties. Where it is impossible to divide the land properly among the eligible heirs or devisees, the Tribal Business Committee may issue to the eligible heirs or devisees grazing permits or other interest in tribal lands of the same value as the assignment of the decedent.

(d) If there are no eligible heirs or devisees of the decedent, the land shall be eligible for reassignment in accordance with the provisions of section 4 of this article.

SEC. 9. *Inheritance of improvements.*—Improvements of any character made upon assigned land may be bequeathed to and inherited by members of the Ute Indian Tribe of the Uintah and Ouray Reservation or otherwise disposed of under such regulations as the Tribal Business Committee shall provide. No permanent improvements shall be removed from the land without the consent of the Tribal Business Committee.

SEC. 10. *Exchange of assignments.*—Assignments may be exchanged between members of the Ute Indian Tribe of the Uintah and Ouray Reservation by common consent in such a manner as the Tribal Business Committee shall designate.

SEC. 11. *Use of unassigned tribal land.*—Tribal land which is not assigned, including tribal timber reserves, shall be managed by the Tribal Business Committee for the benefit of the members of the entire Tribe, and any cash income derived from such land shall accrue to the benefit of the Tribe as a whole. All action of the Tribal Business Committee with respect to such lands shall be in conformity with departmental regulations for the protection of Indian range and timber resources authorized by section 6 of the Act of June 18, 1934.

SEC. 12. *Purchase of land by the tribe.*—Tribal funds may be used, with the consent of the Secretary of the Interior, to acquire land, under the following conditions:

(a) Land within the Uintah and Ouray Reservation or adjacent to the boundaries thereof which is not now in Indian ownership may be purchased by or for the Ute Indian Tribe of the Uintah and Ouray Indian Reservation.

(b) Restricted lands, which are in heirship status at the time of the adoption and approval of this Constitution, may be purchased by or for the Ute Indian Tribe of the Uintah and Ouray Reservation, with the consent of all the adult heirs, and the legal guardians of minor heirs, payment therefor to be made as may be agreed upon.

(c) Land owned by any member of the Tribe who is over the age of sixty (60) years or who is physically incapacitated, may be transferred by its owner to the Tribe in exchange for a pension of not more than twice the annual rental value of the land for the life of the pensioner, to be paid out of available tribal funds.

(d) Excess land owned by any member of the Tribe may be purchased by the Tribe, with the consent of the owner, payments to be made under such terms as may be agreed upon.

(e) Land owned by any member of the Tribe who desires to leave the Reservation permanently may be purchased by the Tribe, under such terms as may be agreed upon.

SEC. 13. *Method of making assignments.*—Applications for assignments shall be filed with the Secretary of the Tribal Business Committee and shall be in writing, setting forth the name of the person or persons applying for the land and as accurate a description of the land desired as the circumstances will permit. Notices of all applications received by the Secretary shall be posted by him in the agency office and in at least three other conspicuous places on the Reservation for not less than twenty (20) days before action is taken:

by the Tribal Business Committee. Any member of the Tribe wishing to oppose the granting of an assignment shall do so in writing, setting forth his objections, to be filed with the Secretary of the Tribal Business Committee, and may if he so desires appear before the Tribal Business Committee to present evidence. The Secretary of the Tribal Business Committee shall furnish the Superintendent or other officials in charge of the agency a complete record of all action taken by the Tribal Business Committee on applications for assignments of land, and a complete record of assignments shall be kept in the agency office and shall be open for inspection by members of the Tribe.

The Tribal Business Committee shall draw up one or more forms for standard and exchange assignments, which shall be subject to the approval of the Secretary of the Interior.

ARTICLE IX—REFERENDUM

Upon a petition of at least one-third ($\frac{1}{3}$) of the eligible voters of the Ute Indian Tribe of the Uintah and Ouray Reservation, or upon the request of a majority of the members of the Tribal Business Committee, any enacted or proposed ordinance or resolution of the Tribal Business Committee shall be submitted to a popular referendum, and the vote of the majority of the qualified voters voting in such referendum shall be conclusive and binding on the Tribal Business Committee provided that at least thirty (30) per cent of the eligible voters shall vote in such election.

ARTICLE X—AMENDMENTS

Amendments to the Constitution and By-laws may be ratified and approved in the same manner as this Constitution and By-laws. Whenever the Tribal Business Committee shall, by an affirmative vote of four or more members, call for the submission of an amendment, the Secretary of the Interior shall call an election upon the proposed amendment. If at such election the amendment is adopted by a majority of the qualified voters of the Tribe voting thereon and if at least thirty (30) per cent of those entitled to vote shall vote in such election, such amendment shall be submitted to the Secretary of the Interior and if approved by him, shall thereupon take effect.

BY-LAWS OF THE UTE INDIAN TRIBE OF THE UINTAH AND OURAY RESERVATION

ARTICLE I—DUTIES OF OFFICERS

SECTION 1. *Chairman of the Tribal Business Committee.*—The Chairman of the Tribal Business Committee shall preside over all meetings of the Committee, shall perform all duties of a Chairman and exercise any authority delegated to him by the Committee. He shall have the privilege of voting.

SEC. 2. *Vice-Chairman of the Tribal Business Committee.*—The Vice-Chairman shall assist the Chairman when called upon so to do and in the absence of the Chairman, he shall preside. When so presiding, he shall have all the rights, privileges, duties and responsibilities of the Chairman.

SEC. 3. *Secretary of the Tribal Business Committee.*—The Secretary of the Tribal Business Committee shall conduct all tribal correspondence and shall keep an accurate record of all matters transacted in Tribal Business Committee meetings. It shall be his duty to submit promptly to the Superintendent of the jurisdiction and the Commissioner of Indian Affairs copies of all minutes of regular and special meetings of the Tribal Business Committee.

SEC. 4. *Treasurer of the Tribal Business Committee.*—The Treasurer of the Tribal Business Committee shall accept, receive, receipt for, preserve, and safeguard all funds in the custody of the Tribal Business Committee, whether same be tribal funds or special funds for which the Tribal Business Committee is acting as trustee or custodian. He shall deposit all such funds in such bank or elsewhere as directed by the Tribal Business Committee and shall make and preserve a faithful record of such funds and shall report on all receipts and expenditures and the amount and nature of all funds in his possession or custody, such report being made in writing to the Tribal Business Committee at regular meetings and at such other times as requested by the Tribal Business Committee.

He shall not pay out or otherwise disburse any funds in his possession or custody, or in the possession or custody of the Tribal Business Committee, except when properly authorized so to do by resolution duly passed by the Tribal Business Committee.

The books and records of the Treasurer shall be audited at least once each year by a competent auditor employed by the Tribal Business Committee and at such other times as the Tribal Business Committee or the Commissioner of Indian Affairs may direct.

The Treasurer shall be required to give a bond satisfactory to the Tribal Business Committee and to the Commissioner of Indian Affairs.

The Treasurer shall be present at all special and regular meetings of the Tribal Business Committee.

SEC. 5. *Appointive officers.*—The duties of all appointive committees or officers of the Ute Indian Tribe of the Uintah and Ouray Reservation shall be clearly defined by resolution of the Tribal Business Committee at the time of their creation or appointment. Such committees and officers shall report from time to time as required by the Tribal Business Committee, and their activities and decisions shall be subject to review by the Tribal Business Committee upon petition of any person aggrieved.

ARTICLE II—QUALIFICATIONS OF COMMITTEEMEN

No person shall be a candidate for membership in the Tribal Business Committee unless he shall be a member of the Ute Indian Tribe of the Uintah and Ouray Reservation and shall have resided in the territory thereof for a period of one year next preceding the election and be at least twenty-one (21) years of age.

ARTICLE III—CERTIFICATION OF ELECTION

It shall be the duty of the members of the Tribal Business Committee to certify to the election of duly elected committee members. This shall be done within five days after the election and a certificate filed with the Secretary of the Business Committee.

ARTICLE IV—INSTALLATION OF COMMITTEEMEN

Newly elected members who have been duly certified, shall be installed at the first regular meeting of the Tribal Business Committee following the election, upon subscribing to the following oath:

“I-----, do solemnly swear (or affirm) that I shall support and uphold the Constitution of the United States, the Constitution and laws of the State of Utah, and the Constitution and By-laws and Ordinances of the Ute Indian Tribe of the Uintah and Ouray Reservation in the State of Utah; that I shall in all respects faithfully and fully perform the duties of my office as a member of the Tribal Business Committee for the Ute Indian Tribe of the Uintah and Ouray Reservation, so help me God.”

The oath may be taken and subscribed to before the Superintendent or any other person authorized to administer oath in the State of Utah.

ARTICLE V—SALARIES

The Tribal Business Committee may prescribe such salaries of officials or Tribal Business Committee members as it deems advisable from such funds as may be available.

ARTICLE VI—TIME, PLACE, AND PROCEDURE OF REGULAR MEETINGS

SECTION 1. Meetings.—Regular meetings of the Tribal Business Committee shall be held on the second Monday of each month at Fort Duchesne, Utah, at a designated building or hall where official records will be kept. Special meetings may be called by written notice duly served on each committee member a reasonable time before said meeting, signed by the Chairman or by a majority of the Tribal Business Committee members, and when so called, the Tribal Business Committee shall have the power to transact business as in regular meetings.

SEC. 2. General tribal meetings.—There shall, on the last Monday in May, be an annual meeting open to all members of the Ute Indian Tribe of the Uintah and Ouray Reservation held at a designated place which shall be approved by the Tribal Business Committee.

It shall be the duty of the Chairman at this meeting to make a report of all activities of the Tribal Business Committee throughout the year, and to outline the proposed plans for economic and social betterment of the Tribe.

Special tribal meetings may be called by the Chairman of the Tribal Business Committee, provided that due notice is posted throughout the Reservation at least thirty (30) days prior to such meeting.

Fifty (50) legal voters of the Tribe, may, at any time, by written petition, call a general meeting, provided that at least fifteen (15) days notice is posted throughout the Reservation.

SEC. 3. Quorum.—No tribal business shall be transacted unless a quorum is present.

A quorum of the Tribal Business Committee shall consist of four (4) members of the Tribal Business Committee.

A quorum of the general tribal meeting shall consist of not less than seventy-five (75) voters at the annual meeting, and seventy (70) voters at a special meeting.

SEC. 4. Order of business.—The following order of business is established for all meetings:

1. Call to order by the Chairman.
2. Roll call.
3. Ascertainment of a quorum.
4. Reading the Minutes of last meeting.
5. Adoption of minutes by vote or common consent.
6. Unfinished business.
7. New business.
8. Adjournment.

SEC. 5. Ordinances and resolutions.—All final decisions of the Tribal Business Committee on matters of general and permanent interest to the members of the Ute Indian Tribe of the Uintah and Ouray Reservation shall be embodied in ordinances. Such ordinances shall be collected and published from time to time for the information and education of the members of the Tribe.

All final decisions of the Tribal Business Committee on matters of temporary interest (such as acting on reservation budget for a single year, or petitions to Congress or to the Secretary of the Interior) or relating especially to particular individuals or officers (such as adoption of members, instructions for tribal employees, or rules of order for the Tribal Business Committee) shall be embodied in resolutions. Such resolutions shall be recorded in a special book and shall be open to public inspection.

All questions of procedure (such as acceptance of committee reports, invitations to outsiders to speak) shall be decided by motion duly passed, or by ruling of the Chairman if no opposition is heard. In all ordinances, resolutions or motions, the Tribal Business Committee may act by a majority vote, but all matters of importance shall be fully discussed and a reasonable attempt made to secure unanimous agreement, and parliamentary procedure shall otherwise be governed by Robert's Rules of Order.

SEC. 6. Legislative forms.—Every ordinance shall begin with the words, "*Be it enacted by the Uintah and Ouray Tribal Business Committee * * **"

Every resolution shall begin with the words, "*Be it resolved by the Uintah and Ouray Tribal Business Committee, * * **"

ARTICLE VII—RATIFICATION OF CONSTITUTION AND BY-LAWS

This Constitution and By-laws attached hereto shall be in full force and effect whenever a majority of the adult voters of the Uintah, Uncompahgre and Whiteriver Bands of the Uintah and Ouray Reservation, voting at an election called by the Secretary of the Interior in which at least thirty (30) percent of the eligible voters shall vote, shall have ratified such Constitution and By-laws and the Secretary of the Interior shall have approved same, as provided in the Act of June 18, 1934, as amended by the Act of June 15, 1935.

CERTIFICATION OF ADOPTION

Pursuant to an order, approved November 20, 1936, by the Secretary of the Interior, the attached Constitution and By-laws was

submitted for ratification to the Ute Indians of the Uintah, Uncompahgre and Whiteriver Bands of the Uintah and Ouray Reservation and was on December 19, 1936, duly adopted by a vote of 347 for, and 12 against, in an election which over 30 percent of those entitled to vote cast their ballots, in accordance with section 16 of the Indian Reorganization Act of June 18, 1934, (48 Stat. 984), as amended by the Act of June 15, 1935, (49 Stat. 378).

ROY SMITH,
Chairman of Election Board.

ORAN CURRY,
Chairman of Tribal Business Committee.

ROBERT L. BENNETT,
Secretary.

C. C. WRIGHT,
Superintendent in charge of the Reservation.

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 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Constitution and By-laws of the Ute Indian Tribe, of the Uintah and Ouray Reservation.

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 these Indians.

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

Approval recommended: January 12, 1937.

WILLIAM ZIMMERMAN, JR.,
Acting Commissioner of Indian Affairs.

HAROLD L. ICKES,
Secretary of the Interior.

[SEAL]

WASHINGTON, D. C., *January 19, 1937*