

*Down below*

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS



CONSTITUTION AND BY-LAWS  
FOR THE IOWA TRIBE OF INDIANS  
OF THE IOWA RESERVATION IN  
NEBRASKA AND KANSAS



APPROVED FEBRUARY 26, 1937



UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON: 1937

*Code 7*

12.1  
Bureau  
Office  
Indian Territory  
Creek Tribe,  
Tulsa, Okla.  
1

LIBRARY OF CONGRESS  
MAY 20 1937  
DIVISION OF DOCUMENTS

# CONSTITUTION AND BY-LAWS FOR THE IOWA TRIBE OF INDIANS OF THE IOWA RESERVATION IN NEBRASKA AND KANSAS

## PREAMBLE

We, the people of the Iowa Tribe, in order to set up a recognized body to handle our tribal affairs and to get and enjoy the benefits of organization under the Indian Reorganization Act of June 18, 1934, do hereby establish this Constitution and By-laws.

## ARTICLE I—TERRITORY

The jurisdiction of the Iowa Tribe shall extend to the territory within the confines of the Iowa Reservation as defined in the Treaty of March 6, 1861, and to such other lands as may be hereafter added thereto.

## ARTICLE II—MEMBERSHIP

SECTION 1. The membership of the Iowa Tribe shall consist of:

(a) All persons of Indian blood whose names appear on the official census roll of the tribe as of January 1, 1937: *Provided*, That within one year from adoption and approval of this Constitution and By-laws correction may be made in the said roll by the General Tribal Council subject to approval of the Secretary of the Interior;

(b) All children born to any member of the Iowa Tribe who is a resident of the reservation at the time of the birth of said children.

SEC. 2. The General Tribal Council shall have the power to make ordinances subject to review by the Secretary of the Interior covering future membership and the adoption of new members.

## ARTICLE III—GOVERNING BODY

SEC. 1. The governing body of the Iowa Tribe shall be the General Tribal Council which shall be composed of all the qualified voters of the Iowa Tribe.

SEC. 2. All enrolled members of the Iowa Tribe who are 21 years of age or over shall be qualified voters at each election provided they either reside on the reservation or maintain a home within 25 miles of the reservation boundaries and take enough interest in tribal affairs to register before any election with the Secretary of the General Tribal Council after the approval of this Constitution and By-laws, the manner of such registration to be designated by the Executive Committee.

SEC. 3. The General Tribal Council shall elect from its qualified voters by secret ballot (a) a Chairman; (b) a Vice-Chairman; (c) a Secretary; (d) a Treasurer; (e) and such other officers and committees as may be deemed necessary.

SEC. 4. The General Tribal Council shall meet at least twice a year on the last Monday of January and July. Within 30 days after the ratification and approval of this Constitution and By-laws, a General Tribal Council shall be called by the present Iowa Business Committee for the purpose of electing the officers named herein under such regulations as may be prescribed by said committee, and it shall transact such other business as may be necessary. The officers elected at this meeting shall serve until the July meeting at which time their successors shall be chosen. Thereafter, officials shall be chosen at the July meeting. The Chairman, or 25 per cent of the qualified voters, may by written notice, call special meetings of the General Tribal Council.

One-third of the qualified voters of the Tribe shall constitute a quorum at any special or regular meeting.

SEC. 5. There shall be an Executive Committee, consisting of the Chairman, Vice-chairman, Secretary, and Treasurer of the General Tribal Council which shall perform such duties as may be authorized by that Council.

#### ARTICLE IV—POWERS OF THE GENERAL TRIBAL COUNCIL

SECTION 1. *Enumerated powers.*—The General Tribal Council of the Iowa Tribe shall exercise the following powers, subject to any limitations imposed by the statutes or the Constitution of the United States;

- (a) To negotiate with the Federal, State, and local government;
- (b) To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior;
- (c) To veto any sale, disposition, lease or encumbrance of tribal lands, interests in lands, tribal funds, or other tribal assets;
- (d) To advise the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Iowa Tribe prior to the submission of such estimates to the Bureau of the Budget and to Congress;
- (e) To make and enforce ordinances, which shall be subject to review by the Secretary of the Interior, providing for the manner of making, holding, and revoking assignments of tribal land or interests therein, and to make leases of tribal land in accordance with law;
- (f) To provide for the levying of taxes and the appropriation of available tribal funds for public purposes of the Iowa Tribe;
- (g) To adopt resolutions regulating the procedure of the General Tribal Council itself and of tribal officials, or tribal organizations and of tribal meetings and elections;
- (h) To charter subordinate organizations for economic purposes and to delegate to such organizations, or to any subordinate boards or officials of the tribe, any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated powers.

SEC. 2. *Future powers.*—The General Tribal Council may exercise such further powers as may in the future be delegated to the Council by any member or members of the tribe or by the Secretary of the Interior or any other duly authorized official or agency of the State or Federal Government.

**SEC. 3. *Reserved powers.***—Any rights and powers heretofore vested in the Iowa Tribe but not expressly referred to in this Constitution shall not be abridged by this article, but may be exercised by the people of the Iowa Tribe through the adoption of appropriate by-laws and constitutional amendments.

**SEC. 4. *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 reservation who shall, within ten days thereafter, approve or disapprove the same.

If the Superintendent shall approve any ordinance or resolution, 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 90 days from the date of enactment, annul the said ordinance or resolution for any cause, by notifying the General Tribal Council of such decision.

If the Superintendent shall refuse to approve any ordinance or resolution submitted to him, within ten days after its enactment, he shall advise the Council of his reasons therefor. If these reasons appear to the General Tribal Council insufficient, it may, by a majority vote, refer the ordinance or resolution to the Secretary of the Interior, who may, within 90 days from the date of its enactment, approve the same in writing, whereupon the said ordinance or resolution shall become effective.

#### ARTICLE V—AMENDMENTS

This Constitution and By-laws may be amended by a majority vote of the qualified voters of the tribe voting at an election called for that purpose by the Secretary of the Interior, provided that at least 30 per cent of those entitled to vote shall vote in such election; but no amendment shall become effective until it shall have been approved by the Secretary of the Interior.

It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment upon receipt of a petition signed by one-third of the qualified voters of the tribe.

#### BY-LAWS OF THE IOWA TRIBE OF INDIANS OF THE IOWA RESERVATION IN NEBRASKA AND KANSAS

##### ARTICLE I—DUTIES OF OFFICERS

**SECTION 1. *Chairman of the General Tribal Council.***—The Chairman shall preside over all meetings of the General Tribal Council, shall perform the usual duties of a Chairman, and exercise any authority delegated to him by the said Council. He shall vote only in the case of a tie.

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

**SEC. 3. *Secretary of the General Tribal Council.***—The Secretary shall handle all tribal correspondence and shall keep an accurate record of all matters transacted at General Tribal Council and

Executive 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 General Tribal Council.

SEC. 4.—Treasurer of the General Tribal Council. The Treasurer shall accept, receive, receipt for, preserve and safeguard all funds in the custody of the Council. He shall deposit all funds in such depository as the General Tribal Council shall direct 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 and custody, at each regular meeting of the General Tribal Council, and at such other times as requested by the General Tribal Council or the Executive Committee.

He shall not pay out or otherwise disburse any funds in his possession or custody, except in accordance with a resolution duly passed by the General Tribal Council.

The Treasurer shall be required to give a bond satisfactory to the General Tribal Council and to the Commissioner of Indian Affairs when in the opinion of the said Council or Commissioner there are sufficient funds in the General Tribal Council treasury to warrant such action.

SEC. 5. *Appointive officers.*—The duties of all appointive boards, committees, or officers of the tribe shall be clearly defined by resolutions of the General Tribal Council at the time of their creation or appointment. Such boards, committees, and officers shall report, from time to time as required, to the General Tribal Council, and their activities and decisions shall be subject to review by the General Tribal Council upon the petition of any person aggrieved.

## ARTICLE II—RATIFICATION OF CONSTITUTION AND BY-LAWS

This Constitution and these By-laws, when adopted by a majority vote of the voters of the Iowa Tribe voting at a special election called by the Secretary of the Interior, in which at least 30 per cent of those entitled to vote shall vote, shall be submitted to the Secretary of the Interior for his approval, and shall be in force from the date of such approval.

### CERTIFICATION OF ADOPTION

Pursuant to an order, approved December 18, 1936, by the Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the Iowa Tribe of Indians of the Iowa Reservation in Nebraska and Kansas, and was on January 23, 1937, duly ratified by a vote of 88 for, and 1 against, in an election in which over 30 per cent 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).

HARVEY CAMPBELL,  
*Chairman of Election Board.*  
JOHN DEROIN,  
*Secretary of Election Board.*

H. E. BRUCE,  
*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 18, 1934 (48 Stat. 984) as amended, do hereby approve the attached Constitution and By-laws of the Iowa Tribe in Nebraska and Kansas.

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 or 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 February 18, 1937.

WILLIAM ZIMMERMAN, JR.

*Assistant Commissioner of Indian Affairs.*

HAROLD L. ICKES,

*Secretary of the Interior.*

[SEAL]

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

