

**CONSTITUTION
OF THE
SEMINOLE NATION
OF
OKLAHOMA
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**CONSTITUTION
OF THE
SEMINOLE NATION
OF
OKLAHOMA**

**Adopted March 8, 1969,
As Amended February 25, 1989,
As Amended December 14, 1991
As Amended September 20, 2008
As Amended July 13, 2013**

PREAMBLE

We, the members of the Seminole Nation of Oklahoma, in order to promote justice, to continue cooperation with Federal, State and local governments, to encourage the general welfare, to safeguard our interests, to promote social, educational and economic opportunities for our children and for ourselves, and understanding this to be the democratic way pertaining to democracy and self-government by the people of the Seminole Nation of Oklahoma, do hereby ordain and establish this constitution.

ARTICLE I - NAME

The name of this body shall be "The Seminole Nation of Oklahoma."

ARTICLE II - MEMBERSHIP

The membership of this body shall consist of all Seminole citizens whose names appear on the final rolls of the Seminole Nation of Oklahoma approved pursuant to Section 2 of the Act of April 26, 1906 (34 Stat. 137) and their descendants. An enrolled member of another Indian tribe shall not be eligible for membership in the Seminole Nation of Oklahoma.

ARTICLE III - CHIEF AND ASSISTANT CHIEF

Section 1. The executive authority of the Seminole Nation of Oklahoma shall be vested in a Chief and Assistant Chief.

Section 2. Any member of the Seminole Nation of Oklahoma who is at least 35 years of age and who possesses no less than one-quarter degree of Seminole Indian blood may be eligible for the office of Chief and Assistant Chief. No person who has been convicted of a felony by a court of competent jurisdiction shall be considered eligible for these offices until either pardoned or five years have passed since release from confinement.

Section 3. The Chief and Assistant Chief shall be elected for a term of four years pursuant to the provisions of Article X of this constitution and shall serve until their successors have been elected and installed. (As amended, December 14, 1991.)

Section 4. The Chief shall appoint, dissolve or remove subordinate committees and representatives and delegates to inter-tribal bodies subject to the approval of the majority of the General Council.

Section 5. The Chief shall preside over all meetings of the General Council and exercise any authority delegated to him by the provisions of this constitution. He shall have general supervision over the affairs of the General Council and shall perform all duties appertaining to the office of chairman. He shall sign all official papers on behalf of the Nation when so directed by the General Council. He shall not vote at Council meetings except in case of a tie.

Section 6. The Assistant Chief shall assist the Chief when called on to do so, and in the absence of the Chief shall preside and when presiding shall have all privileges, duties, and responsibilities delegated to the Chief. In the absence of the Secretary of the General Council, the General Council will appoint a temporary Secretary. In case of the death or resignation or removal of the Chief, the Assistant Chief shall succeed at once to the office of Chief, subject to approval and confirmation as provided in Article IX, Section 3 of this constitution. (As amended, February 25, 1989.)

ARTICLE IV - GENERAL COUNCIL

Section 1. The legislative body of the Seminole Nation of Oklahoma shall be known as the General Council and shall consist of two (2) band representatives elected from each of the following fourteen (14) Seminole bands.

Tusekia Harjo; Tallahassee; Mekusukey; Thomas Palmer; Fushutche; Rewalke; Ceyvha; Eufaula; Hvticyvlke; Hecete; Nurcup Harjo; Ocese; Dosar Barkus; and Caesar Bruner.

There must be at least ten (10) members of a band to constitute band status. A band with less than ten (10) members will have no voice in the Council.

Within 90 days from the approval date of this amendment, each band shall submit to the General Council written by-laws which shall describe how the band is governed. A band which has not submitted written by-laws shall have no voice in the Council. (As amended, February 25, 1989; As amended by July 13, 2013.)

Section 2. The General Council shall appoint for so long as it desires a secretary from within or without its membership. Any appointee from without the elected membership of the General Council shall not be eligible to participate in any business before that body unless the General Council so desires.

Section 3. Any member of the Seminole Nation of Oklahoma who is at least 18 years of age and who possesses no less than one-quarter degree of Indian blood (this provision of degree of blood shall not apply to Freedman Council members) is qualified to sit on the General Council when

duly elected pursuant to this constitution. No person who has been convicted of a felony by a court of competent jurisdiction shall be considered eligible for any position on the General Council or any appointment by that body until either pardoned or five years have passed since release from confinement. In the event any question should arise regarding the qualifications of any band representative, candidate for office or appointee, the decision of the General Council shall be final.

Section 4. All band representatives of the General Council shall be elected to serve a term of four years or until their successors have been duly elected and installed. All band representatives and the officers serving on the General Council may succeed themselves in office.

Section 5. All members of the General Council, appointees and employees of the Nation shall be paid in accordance with a duly adopted ordinance of the General Council. Unless otherwise provided for in this constitution, no enactment of the General Council shall be considered valid unless supported by a majority of those voting in a legal meeting.

ARTICLE V - POWERS OF THE GENERAL COUNCIL

The General Council of the Seminole Nation of Oklahoma, subject to any restrictions contained in the Constitution and laws of the United States, shall have the power to speak or act on behalf of the Nation in all matters in which the Nation is empowered to act. The General Council shall exercise, subject further to any limitations imposed by this constitution, the following powers:

- (a.) To promote public health, education and charity and such other services that may contribute to the social and economic advancement of the members of the Seminole Nation of Oklahoma.
- (b.) To negotiate with Federal, State and local governments and others on behalf of the Nation.
- (c.) To prevent the sale, disposition, lease or encumbrance of any land or interest in land belonging to the Seminole Nation of Oklahoma or reserved for the benefit of such Nation.
- (d.) To manage and lease or otherwise deal with Tribal lands and communal resources in accordance with law.
- (e.) To prepare the annual budget request and supplements thereto, to administer any funds within the control of the Nation and to make expenditures from available funds for Tribal purposes. All expenditures of Tribal funds within the purview of this paragraph shall be authorized by resolution duly enacted by the General Council and the amounts so expended shall be a matter of public record open to the members of the Nation at all reasonable times.
- (f.) To enter into any contract in behalf of the Nation in conjunction with any activity that will further the well-being of the members of the Nation.
- (g.) To employ legal counsel.

- (h.) To borrow money from any source and pledge or assign chattels or future Tribal income as security therefore, subject to any restrictions imposed by any statutes.
- (i.) To exercise any powers not specifically set fourth in this article which at some future date may be appropriately delegated to the General Council. (As amended, February 25, 1989.)
- (j.) To establish, levy and collect taxes within the territorial jurisdiction of the Seminole Nation of Oklahoma. (As amended, July 13, 2013)

ARTICLE VI - MEETINGS OF THE GENERAL COUNCIL

Section 1. Regular meetings of the General Council shall be held on a day established by the Council in March, June, September, and December of each calendar year, one of which shall be designated the annual Tribal meeting at which the Chief shall make an annual report: Provided, that if the established meeting date falls on a holiday, the meeting shall be held on the same day of the following week. Such meetings shall convene at 10 a.m. The Chief may call a special meeting of the Council at any time he thinks it-necessary. The Chief shall be required to call such a meeting within ten (10) days upon receipt of a request in the form of a petition signed by at least a fifteen (15) members of the General Council: Provided, that no special meeting shall be called except on matters of serious concern to the General Council. Notice of regular and special meetings shall be given at least ten (10) days in advance to all members of the General Council and shall contain the time, place, and purpose. In case of an emergency, the ten (10) day notice period may be waived. Such notice shall also be published in at least one (1i) prominent newspaper within Seminole County and notices posted in proper places. By ordinance the General Council shall provide details on how the wavier will be accomplished and the places for posting of the notices. (As amended, February 25, 1989.)

Section 2. The official meeting place shall be designated by the General Council. All meetings shall be opened to the members of the Seminole Nation of Oklahoma, and no official business may be transacted by the General Council at any time in the absence of a quorum which shall consist of a fifteen (15) voting band representatives and either the Chief or Assistant Chief, or Temporary Chairman. (As amended, February 25, 1989.)

Section 3. In the event the Chief and/or Assistant Chief refuses or is unable to call or chair a regular or special General Council meeting, a temporary chairman appointed by the General Council shall preside over the meeting of the General Council and the General Council shall be able to conduct official business. The Temporary Chairman shall preside for that one meeting only and shall sign all official papers arising from that one meeting only when so directed by the General Council. The General Council may appoint the Temporary Chairman from within the General Council or from the voting membership of the Seminole Nation. The Temporary Chairman, if not a member of the General Council, shall not be allowed to vote on official business. (As amended, February 25, 1989.)

ARTICLE VII - ORDER OF BUSINESS

Section 1. The order of business at any regular or special meeting of the General Council shall be as follows: Provided, that it may be suspended for any meeting by the General Council.

1. Call to order.
2. Roll call and prayer.
3. Reading of minutes of last meeting.
4. Unfinished business.
5. Reports of Committees.
6. New business.
7. Prayer and adjournment.

Section 2. The General Council may by appropriate ordinance adopt such rules and regulations as it thinks desirable in carrying out the order of business.

ARTICLE VIII - DUTIES OF OFFICERS

The Secretary shall cause to be prepared all minutes, resolutions and ordinances enacted at all meetings and distribute copies, by mail if feasible, to the members of the General Council and to the Area Office. The Secretary shall cause to be maintained files, records, and correspondence of the General Council in an orderly manner for the convenience of the General Council and exercise such other duties as may be specifically delegated to the Secretary. The Secretary shall attend to the giving and serving of all notices of the General Council as required by this constitution. Until the General Council by ordinance directs otherwise, the depository of the Council's records and enactments shall be in the Tribal office in Wewoka, Oklahoma, such documents to become the permanent records of the Seminole Nation.

ARTICLE IX - REMOVAL AND THE FILLING OF VACANCIES

Section 1. The General Council may by an affirmative vote of nineteen (19) members remove any officer or band representative from office who fails to carry out his or her responsibilities or who is found guilty in any court of competent jurisdiction of a misdemeanor involving dishonesty, or for any gross neglect of duty or misconduct reflecting on the dignity and integrity of the General Council. No vote taken, however, shall be considered valid unless the individual so charged shall have been given a written statement containing the charges made against him or her at least ten (10) days before any meeting of the General Council and has been afforded an opportunity to answer, before the General Council, and all of the written charges. (As amended, February 25, 1989.)

Section 2. The General Council shall automatically declare vacant the seat of any member who dies, resigns, is found guilty of a felony in any court of competent jurisdiction, or who fails or refuses to attend two regular meetings in succession unless excused by the General Council.

Section 3. In case of the death, resignation or removal of the Chief, the General Council at its next regular meeting shall confirm the Assistant Chief as Chief. In the case of the death, advancement, resignation or removal of the Assistant Chief, the General Council at its next

regular meeting shall by an affirmative vote of fifteen (15) of its members select a qualified member of the Seminole Nation of Oklahoma to fill the vacancy. It shall be the responsibility of the bands to fill, pursuant to Seminole tribal customs, any vacancy which may occur in their representation. Any member of the General Council seated pursuant to this section shall serve only until the completion of his or her predecessor's unexpired term. (As amended, February 25, 1989.)

Section 4. In case of the death or resignation or removal of both the Chief and Assistant Chief, the General Council shall appoint the Chief and Assistant Chief until a special election is held if such an election is deemed necessary by the General Council. The Chief and Assistant Chief appointed or elected pursuant to this section (Section 4) shall serve only until the next general election as provided for in Article X, Section 2. The appointed Chief and Assistant Chief shall have all powers granted an elected Chief and Assistant Chief under this constitution. (As amended, February 25, 1989.)

ARTICLE X – ELECTIONS **(As amended, February 25, 1989.)**

Section 1. Every member of the Seminole Nation of Oklahoma as defined in Article II of this constitution shall be eligible to vote in any general or special election: Provided, that they are at least 18 years of age. Voting shall be by secret ballot.

Section 2. All elections (subsequent to the first election held under this constitution) of Council members, Chief and Assistant Chief, shall be called -pursuant to the provisions of this article: Provided, that the date of elections and any additional rules and regulations not inconsistent with this constitution, shall be established in an ordinance duly enacted by the General Council, and that all future election dates shall be no more than four (4) years apart.

Section 3. The Chief shall appoint, subject to approval of the General Council, an election board consisting of three members. The election board shall conduct all regular and special elections for Council members, Chief and Assistant Chief. The election board shall be charged with the responsibility of maintaining a list of registered and qualified voters, register persons eligible to vote, determine the eligibility of all candidates for office, and for counting ballots. The election board shall also be charged with the responsibility of determining the number and location of voting places. The election board shall elect from among its members a Chairman and a Secretary. The election board may appoint as many assistants as it deems necessary to conduct the elections.

Section 4. All candidates for office shall file with the election board and pay the fee prescribed by the General Council.

Section 5. Any person possessing the qualifications for Chief or Assistant Chief as set forth in Article III, Section 2 of this constitution may file for the office of Chief or Assistant Chief. Election of Chief and Assistant Chief shall be at large. No candidate for Chief or Assistant Chief shall be considered elected unless he or she has received the majority of the votes cast.

Section 6. Any person possessing the qualifications for General Council members as set forth in Article IV, Section 3 of this constitution, may file for the office of council member from his or

her band. Councilmen shall be elected by a plurality of the votes cast. A tie vote for councilmen shall be decided by their band. Election of council members shall be by band and all qualified voters shall be entitled to cast one vote for each seat his or her band has on the General Council to be filled.

Section 7. If a candidate for Chief or Assistant Chief does not receive the required majority of votes cast, a run-off election shall be held four weeks after the first election, and subject to all the rules and requirements of a regular general election. In the event of a run-off election, only the names of the two candidates with the highest number of votes shall appear on the ballot.

ARTICLE XI - OATH OF OFFICE

The newly elected Chief, Assistance Chief and members of the General Council shall be installed and take office at the first regular meeting following their election. The installation of the newly elected Chief, Assistance Chief, and members of the General Council elected at the first election held pursuant to this constitution shall be performed by the Commissioner of Indian Affairs or his authorized representative. Thereafter, installation of newly elected officials of the Seminole Nation of Oklahoma shall be performed by the outgoing Chief or a person appointed by him. No official shall assume office under this constitution until he or her shall take the following Oath of Office:

“I _____, do solemnly swear (or affirm) that I will faithfully execute the office of _____, and will to the best of my ability preserve, protect and defend the Constitution of the United States, and the Constitution of the Seminole Nation of Oklahoma.” (As amended, February 25, 1989.)

ARTICLE XII - BILL OF RIGHTS

Section 1. Each Seminole Indian citizen by blood of this body shall be entitled to membership in a Seminole Indian Band. Each Seminole Freedman citizen of this body shall be entitled to membership in a Freedman Band. Members of the Seminole Nation of Oklahoma shall belong to their mother's band: Provided, that in the event a member's mother is not a member of the Seminole Nation, such member shall be entitled to membership in the band of such member's father. One must remain in his own band. No member shall be entitled to belong to more than one band at any one time. All members shall be guaranteed equal economic opportunities and freedom of association and assembly.

Section 2. Nothing in this constitution shall be interpreted in a way which would change or adversely affect the rights and privileges the members of this body have as citizens of the United States. (As amended, February 25, 1989.)

Section 3. The individual vested property rights of any member of the Seminole Nation of Oklahoma shall not be affected in any way whatsoever by the provisions of this constitution without the consent of such individual member.

ARTICLE XIII - AMENDMENT

Section 1. This constitution may be amended by a majority vote of the qualified voters of the tribe who vote in a special election called for that purpose by the Chief of the Seminole Nation of Oklahoma pursuant to rules and regulations the General Council shall prescribe. It shall be the duty of the Chief to call such an election upon the request of fifteen (15) members of the General Council. (As amended, September 20, 2008.)

Section 2. A notice in the form of a resolution duly adopted by the General Council as to the time and place of any election to adopt or reject any proposed amendment must be given not less than sixty (60) days before election day. Such notice must include the full text of any proposed amendment and must appear subsequently at fifteen (15) day intervals in at least two (2) prominent newspapers published within Seminole County.

ARTICLE XIV - ADOPTION

This constitution when ratified by a majority of those qualified to vote in a special election of the Seminole Nation of Oklahoma pursuant to rules the Council may prescribe, shall be submitted to the Commissioner of Indian Affairs and shall become effective upon the date of approval.

ARTICLE XV - TERRITORIAL JURISDICTION

The territorial jurisdiction of the Seminole Nation of Oklahoma shall be within the geographical boundaries established by the Treaty of March 21, 1866, 14 Stat. 755, entered into by the Seminole Nation of Oklahoma and the United States of America, including but not limited to the following property located within said boundaries: property held in trust by the United States of America on behalf of the Seminole Nation of Oklahoma; property owned in fee by the Seminole Nation of Oklahoma; restricted and trust allotments; and dependent Indian communities. The territorial jurisdiction of the Seminole Nation of Oklahoma shall also extend to all property located outside said boundaries, owned in fee by the Seminole Nation of Oklahoma or held in trust by the United States on behalf of the Seminole Nation of Oklahoma. All of said property subject to the territorial jurisdiction of the Seminole Nation of Oklahoma, both real and personal, shall be exempt from federal and state taxation, when not inconsistent with federal law. (As amended, December 14, 1991)

ARTICLE XVI – COURTS

Section 1. The judicial power of the Seminole Nation of Oklahoma shall be vested in one Supreme Court and such District Courts and other subordinate courts as may be established pursuant to law enacted by the General Council.

Section 2. The jurisdiction exercised by the Courts of the Seminole Nation of Oklahoma shall be limited to (a) matters arising on trust or restricted land within the jurisdictional boundaries of the Seminole Nation of Oklahoma, (b) All matters other than Criminal, whether or not arising on trust or restricted land within said jurisdictional boundaries, arising between members of the Nation or involving nonmembers provided that at least one party is Seminole, (c) matters over which the Nation may exercise jurisdiction pursuant to 25 U.S.C. § 1901, et seq., or

other federal law whether or not arising on trust or restricted land within said jurisdictional boundaries; and (d) any other matter where jurisdiction is authorized by any federal law, regulation.. The original jurisdiction of the Supreme Court shall extend to a general superintending and administrative control over all inferior courts and all Agencies, Commissions and Boards created by law. The Supreme Court and District Court shall have power to issue, hear and determine writs of habeas corpus, mandamus, quo warranto, certiorari, prohibition and such other remedial writs as may be provided by law and may exercise such other and further jurisdiction as may be conferred by statute. The appellate and the original jurisdiction of the Supreme Court shall be invoked in the manner provided by law. The decision of the Supreme Court shall be in writing and shall be final. (As amended, July 13, 2013)

Section 3. No Supreme Court Justice, District Court Judge or other judicial official may hold another elective or appointive office within the Seminole Nation of Oklahoma during their tenure as a Justice or Judge.

Section 4. Supreme Court Justices, District Court Judges and judges serving on any subordinate courts shall be nominated by the Principal Chief and shall be subject to confirmation by the General Council. Eligibility requirements for nominees and guidelines for the selection process shall be established by the General Council.

Section 5. Judges and Supreme Court Justices shall receive for their service salaries provided by statute passed by the General Council. The salary of any Judge or Justice may not be reduced during that person's term.

Section 6. The General Council will enact the necessary and appropriate laws to implement and place in operation the provisions of this Article. (As amended, September 20, 2008.)

**SEMINOLE NATION OF OKLAHOMA CONSTITUTION
CERTIFICATES OF ADOPTION AND APPROVAL**

CERTIFICATION OF ADOPTION 1969

Pursuant to the election authorized by the Seminole General Council on September 20, 1968, the foregoing constitution and bylaws was submitted to the registered voters of the tribe and was on March 8, 1969, adopted by a vote of 637 for and 249 against. A total of 1,506 eligible Seminole voters registered for the election and the number of valid ballots cast represented 58.8% of those entitled to vote.

/s/Effie G. Kivett
Effie G. Kivett
Secretary, Seminole Election Comm.

/s/ Bennie F. Johnson
Bennie F. Johnson
Chairman, Seminole Election Comm.

March 12, 1969

/s/ John Brown
John Brown
Chairman, Seminole General Council

APPROVAL OF 1969 CONSTITUTION

I, Robert L. Bennett, Commissioner of Indian Affairs, as required in Article XIV of the Constitution of the Seminole Nation of Oklahoma hereby approve said document to be effective on the date of this approval.

April 15, 1969

/s/ Robert L. Bennett
Commissioner

CERTIFICATION OF ADOPTION 1989

Pursuant to Resolution No. 88-33 adopted by the General Council of the Seminole Nation of Oklahoma on December 17, 1988, five (5) amendments to the foregoing constitution and bylaws were submitted to the registered voters of the tribe on February 25, 1989. All five amendments were ratified with each amendment receiving a majority of the votes cast.

/s/Robert Kernell, Jr.
Robert Kernell, Jr.
Chairman
Seminole Nation Election Board

/s/ Edwin Tanyan
Edwin Tanyan
Principal Chief

February 27, 1989
DATE

February 27, 1989
DATE

APPROVAL FOR 1988 AMENDMENTS

I, Merritt E. Youngdeer, pursuant to authority delegated to me by the Commissioner of Indian Affairs on December 9, 1988, and as required by Article XIII of the constitution of the Seminole Nation of Oklahoma hereby approve said amendments to be effective on the date of approval.

/s/Merritt E. Youngdeer
Area Director

March 10, 1989
DATE

CERTIFICATION OF ADOPTION 1991

Pursuant to Resolution No. 91-19 and 91-19A adopted by the General Council of the Seminole Nation of Oklahoma on July 27, 1991 and August 29, 1991 respectively, four (4) amendments to the foregoing constitution and bylaws were submitted to the registered voters of the tribe on November 9, 1991. Three of the five amendments were ratified with three amendments receiving a majority of the votes cast.

1. Proposed Amendment No. 1 amended the Seminole Constitution by adding new Article XV Territorial Jurisdiction as follows:

ARTICLE XV – TERRITORIAL JURISDICTION

The territorial jurisdiction of the Seminole Nation of Oklahoma shall be within the geographical boundaries established by the Treaty of March 21, 1866, 14 Stat. 755, entered into by the Seminole Nation of Oklahoma and the United States of America, including but not limited to the following property located within said boundaries: property held in trust by the United States of America on behalf of the Seminole Nation of Oklahoma; property owned in fee by the Seminole Nation of Oklahoma; restricted and trust allotments; and dependent Indian communities. The territorial jurisdiction of the Seminole Nation of Oklahoma shall also extend to all property located outside said boundaries, owned in fee by the Seminole Nation of Oklahoma or held in trust by the United States on behalf of the Seminole Nation of Oklahoma. All of said property subject to the territorial jurisdiction of the Seminole Nation of Oklahoma, both real and personal, shall be exempt from federal and state taxation, when not inconsistent with federal law.

Proposed Amendment No. 1 was adopted by a vote of 118 for and 98 against. BIA approved adoption of Amendment No. 1 on July 17, 1992.

2. Proposed Amendment No 2 would have amended the Seminole Constitution by adding a new Article XVI – Courts which would have established a tribal court system for the Seminole Nation. Proposed Amendment No. 2 was rejected by the qualified voters of the Nation by a vote of 107 for and 108 against.

3. Proposed Amendment No. 3 would amend the Seminole Constitution by adding a new subsection (j) to Article V which would permit the Nation to levy and collect taxes within the

territorial jurisdiction of the Nation. Proposed Amendment No. 3 was rejected by the qualified voters of the Nation by a vote of 91 for and 127 against.

4. Proposed Amendment No. 4 would amend the Seminole Constitution by repealing the provision contained in Section 3 of Article III which provided that the election of officers in no way limited the authority of the President of the United States to appoint a Principal Chief of the Seminole Nation pursuant to the Act of April 26, 1906 (34 Stat. 137). The proposed amendment was adopted by a vote of 110 for and 104 against. The Act of October 22, 1970, P.L. 91-495, which provided that the popular selection of the principal chiefs of the Cherokee, Choctaw, Creek and Seminole Tribes of Oklahoma and the Governor of the Chickasaw Tribe of Oklahoma by its members, in effect repealed this provision. Proposed Amendment No. 4 was approved by BIA on July 17, 1992.

5. Proposed Amendment No. 5 would amend Article XII by eliminating the requirement that future amendments to the Constitution of the Seminole Nation be subject to the approval of the Secretary of the Interior (Commission of Indian Affairs). The proposed amendment was adopted by vote of 112 for and 102 against. Proposed Amendment No. 5 was disapproved by BIA on July 17, 1992. Proposed Amendment No. 5 read as follows:

Section 1 of Article XII of the Constitution of the Seminole Nation of Oklahoma shall be amended by deleting the last sentence of said section as follows:

Amendments so ratified shall be submitted to the Commissioner of Indian Affairs and shall have full force and effect from the date of his approval.

APPROVAL FOR 1991 AMENDMENTS

I, Theodore Quasula, Acting Director, Office of Tribal Services, by virtue of the authority granted to the Secretary of the Interior and delegated to me by 230 D.M. 2.4, and by Article XIV of the Constitution of the Seminole Nation of Oklahoma do hereby approve the forgoing Amendments Nos. 1 and 4 to the Constitution of the Seminole Nation of Oklahoma, PROVIDED, That nothing contained in this approval shall be construed as authorizing any action under this Constitution .

/s/ Theodore Quasula
Acting Director, Office of Tribal Services

July 17, 1992
DATE

DISAPPROVAL OF 2000 AMENDMENTS

In its September 21, 2001 Memorandum Opinion in *The Seminole Nation of Oklahoma v. Norton*, Civil Action No. 00-2384 (CKK), the United States for the District of Columbia remanded, for action by the Bureau of Indian Affairs, six (6) proposed amendments to the 1969 constitution of the Seminole Nation of Oklahoma (as amended March 10, 1989). The Southern Plains Regional (SPR) Director has recommended we disapprove the amendments. We agree.

A majority of the voter in the July 1, 2000, election voted in favor of each of the described amendments:

- Amendment No. 1, adding new Article XVII – Courts, amending the Preamble to reflect the separation of powers, and amending Articles IV and V outlining the respective authorities of the Principal Chief and Chairperson of the General Council;
- Amendment No. 2, Powers of the General Council --Adding to the powers of the General Council to include Taxation Authority;
- Amendment No. 3, Territorial Jurisdiction -- Amending Article XV – Territorial Jurisdiction to establish jurisdiction and extend the boundary line of the Seminole Nation further to the East to include the area purchase from the Creek Nation in 1881;
- Amendment No. 4, Chief and Assistant Chief -- First sentence of Article III, Section 3 be amended to establish term limits for the elected office of the Principal Chief and Assistant Chief;
- Amendment No. 5, Initiative and Referendum Powers -- Creating a new Article of the Constitution to allow for initiative and referendum process by members of the Seminole Nation; and
- Amendment No. 9, an amendment to empower the General Council to revise a congressionally approved judgment distribution plan adopted pursuant to the Act of April 30, 1990, Pub L. 101-277, 104 Stat. 143, which provides for the use and distribution of funds awarded to the Seminole Indian in Dockets 73, 151, and 73-A of the Indian Claims Commission.

Although there is no evidence that the failure to comply with the express notice requirements of the constitution made any difference in the outcome of the election on the amendments, it remains that the Nation did not follow constitutionally established requirements before they held the special election and the courts have held the Department to a strict compliance with the notice provision. Since amendment 9 would require congressional action, the tribe should consult with the Bureau's legislative affairs office if it wishes to pursue that amendment. Therefore the amendments are disapproved.

/s/ Michael R. _____
Acting Director, BIA, Washington D.C.

March 14, 2008
DATE

APPROVAL OF 2008 AMENDMENTS

Pursuant to Resolution No. 2009-79 adopted by the General Council of the Seminole Nation of Oklahoma on July 10, 2008, two (2) amendments to the foregoing constitution and bylaws were submitted to the registered voters of the tribe on September 20, 2008. Both amendments were ratified, receiving a majority of the votes cast as certified by the Seminole Nation Election Board (Dee Bennett, Kissie L. Mouse and Timothy R. Hooper).

Amendment No. 1 added a new Article XVI – Courts and established the Nation’s judiciary system.

Amendment No. 2 amended Article XIII – Amendment by removing the requirement that future constitutional amendments be submitted to the Commissioner of Indian Affairs.

CERTIFICATE OF APPROVAL

I, Robert K. Impson, (Acting) Regional Director, Eastern Oklahoma Region, Bureau of Indian Affairs, Department of the Interior by virtue of the authority granted by the Act of June 26, 1936, (49 Stat. 1967) and under the authority delegated by 130 DM 3 and 3 IAM 4.4, do hereby approve the Constitution of the Seminole Nation of Oklahoma, as amended. PROVIDED, that nothing contained in this approval shall be construed as authorizing any action under this Constitution that would be contrary to Federal law.

Date: September 2, 2010

/s/Robert K. Impson
(Acting) Regional Director
Eastern Oklahoma Region
Bureau of Indian Affairs
3100 W. Peak Blvd.
Muskogee, Oklahoma 74401

APPROVAL OF 2013 AMENDMENTS

Pursuant to Resolution No. 2013-50 adopted by the General Council of the Seminole Nation of Oklahoma on March 2, 2013, one (1) amendment to the foregoing constitution and bylaws were submitted to the registered voters of the tribe on July 13, 2013. The amendment was ratified, receiving a majority of the votes cast as certified by the Seminole Nation Election Board (Glenn Davis, Debbie Johnson, and Mary A. Jackson).

Amendment corrected the names of certain Bands in Article IV, General Council, Section 1.

Pursuant to Resolution No. 2013-51 adopted by the General Council of the Seminole Nation of Oklahoma on March 2, 2013, one (1) amendment to the foregoing constitution and bylaws were submitted to the registered voters of the tribe on July 13, 2013. The amendment was ratified, receiving a majority of the votes cast as certified by the Seminole Nation Election Board (Glenn Davis, Debbie Johnson, and Mary A. Jackson).

Amendment to amend the jurisdiction of the Courts in Seminole Nation in Article XVI, Courts, Section 2.

Pursuant to Resolution No. 2013-52 adopted by the General Council of the Seminole Nation of Oklahoma on March 2, 2013, one (1) amendment to the foregoing constitution and bylaws were submitted to the registered voters of the tribe on July 13, 2013. The amendment was ratified, receiving a majority of the votes cast as certified by the Seminole Nation Election Board (Glenn Davis, Debbie Johnson, and Mary A. Jackson).

Amendment of subsection (j) to Article V, Powers of the General Council.