

Constitution Committee Motion #05 Amendments to Article II and Subsequent Sections

Although the current Constitution distinguishes between membership (governed by Article II, § 1) and enrollment (governed by Article II, § 2), the Committee heard concerns that too often the two ideas get confused. Thus, the Committee recommends the following amendments to Article II, and to subsequent sections of the Constitution where appropriate.

In addition, because the current Constitution Section 1 describes membership in mandatory terms, and because the current Constitution does not allow for members to relinquish their membership, the Committee thought it necessary to add language allowing members relinquish their membership (but not describing a specific process for doing so, which can be set forth by ordinance).

Committee Recommendations

- See **Committee Motion #01** for proposed corrections to typographical errors, OCR errors, and style.
- See **Committee Motion #03** for proposed amendments deleting most references to the Secretary of the Interior.

Page 1

- Title
 - Line 13: Amend the title to read: **“ARTICLE II – MEMBERSHIP, CITIZENSHIP, AND ENROLLMENT”**
- Section 1
 - Between Lines 20-21: after Subsection b, **add** a new paragraph that reads “Notwithstanding the foregoing, the membership of the Iowa Tribe of Kansas and Nebraska shall not include any person who has formally relinquished their membership.”
- Section 2
 - Line 21:
 - as the first sentence of this Section, **insert** “Only citizens of the Iowa Tribe of Kansas and Nebraska shall be eligible for enrollment.”
 - **delete** “enrolled as members of” and **replace it with** “members or citizens of, or enrolled with,”
 - Lines 22-23: **delete** “enrollment as members of” and **replace it with** “membership in, citizenship of, or enrollment with,”
 - Line 25: **delete** “membership” and **replace it with** “enrollment”
 - Line 26: **delete** “membership in” and **replace it with** “such membership in, citizenship of, and enrollment with, as applicable,”
- Section 3
 - Line 28: **delete** “membership” and **replace it with** “enrollment”

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- Section 4
 - Line 4: **delete** “a” and **replace it with** “an enrolled”
- After Section 4
 - Between Lines 4-5: **Add** a new section that reads as follows: “Section 5. References in this Constitution and the laws of the Iowa Tribe of Kansas and Nebraska to “members,” “citizens,” or “tribal citizens” of the Iowa Tribe of Kansas and Nebraska shall mean the persons included in the membership of the Iowa Tribe of Kansas and Nebraska described in Article II, Section 1 of this Constitution. References to “enrolled members” or “enrolled citizens” are limited to those persons enrolled with the Iowa Tribe of Kansas and Nebraska in accordance with this Article II.”

Page 5

- Article VI
 - Section 3
 - Line 11: **insert** “enrolled” before “tribal members”
- Article VIII
 - Section 1
 - Line 30: **insert** “enrolled” before “members”

Page 7

- Article IX
 - Section 3
 - Line 4 **insert** “enrolled” before “member”
 - Section 4
 - Line 7: **insert** “enrolled” before “member”
 - Section 5
 - Line 29: **delete** “a” and **replace it with** “an enrolled”

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- Article XI
 - Section 6
 - Line 30: **insert** “enrolled” before “tribal members”

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- Article XII
 - Section 3
 - Line 4: **insert** “enrolled” before “tribal members”

Final Version, if Committee Motion #05 is Approved

Article II – Membership, Citizenship, and Enrollment

Section 1. The membership of the Iowa Tribe of Kansas and Nebraska shall consist of the following:

- a. All persons of Indian blood whose names appear on the official census roll of the tribe as of January 1, 1937; provided that the roll may be corrected at any time by the General Council.
- b. All lineal descendants of persons enrolled under Section 1(a), one of whose parents is an enrolled member of the tribe and; provided such descendant possesses Iowa Tribe of Kansas and Nebraska Indian blood.

Notwithstanding the foregoing, the membership of the Iowa Tribe of Kansas and Nebraska shall not include any person who has formally relinquished their membership.

Section 2. Only citizens of the Iowa Tribe of Kansas and Nebraska shall be eligible for enrollment. Persons who are members or citizens of, or enrolled with, another Indian tribe shall not be eligible for enrollment with the Iowa Tribe of Kansas and Nebraska if they have, by virtue of membership in, citizenship of, or enrollment with, another Indian tribe, shared in assets of that tribe, including land or monetary benefits. Persons who are members or citizens of or enrolled with another Indian tribe and have not shared in tribal assets as specified above, shall be eligible for enrollment with the Iowa Tribe of Kansas and Nebraska if they file a formal relinquishment of such membership in, citizenship of, and enrollment with, as applicable, the other tribe.

Section 3. The Executive Committee shall serve as the enrollment committee and shall approve enrollment with the Iowa Tribe of Kansas and Nebraska and shall have the authority to enact resolutions consistent with Article II of this Constitution and to establish enrollment procedures.

Section 4. Honorary tribal membership may be bestowed by the Executive Committee of the Iowa Tribe of Kansas and Nebraska. This honorary membership will entitle the individual to the title of “honorary tribal member” only, and does not qualify any such honorary member for tribal benefits, assets, or the right to vote as an enrolled member.

Section 5. References in this Constitution and the laws of the Iowa Tribe of Kansas and Nebraska to “members,” “citizens,” or “tribal citizens” of the Iowa Tribe of Kansas and Nebraska shall mean references to persons included in the membership of the Iowa Tribe of Kansas and Nebraska described in Article II, Section 1 of this Constitution. References to “enrolled members” or “enrolled citizens” are limited to those individuals enrolled with the Iowa Tribe of Kansas and Nebraska in accordance with this Article II.