

Transcribed Excerpt from the Constitution and Bylaws of the Sac and Fox Tribes in Iowa, December 20, 1937

Article X — Powers of the Tribal Council

Section 1. Enumerated Powers. — The Tribal Council shall exercise the following rights and powers, subject to any limitations imposed by the constitution or statues of the United States and to all express limitations upon such rights and powers contained in this Constitution and By-laws.

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 Sac and Fox Reservation.

To employ counsel for the protection and advancement of the rights of the Tribe and its members, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior.

To approve or veto any sale, disposition, lease, or encumbrance of tribal lands, interest in lands or other tribal assets which may be authorized or executed by the Secretary of the Interior, the Commissioner of Indian Affairs or any other qualified official or agency of government.

To advise the Secretary of the Interior with regard to all appropriation estimates of Federal projects for the benefit of the Tribe prior to the submission of such estimates to the Bureau of the Budget and to Congress.

To protect and preserve the property and natural resources of the Tribe.

To encourage the agriculture and trade of the community, and to foster the arts, crafts, tradition and culture of the Sac and Fox tribe.

To lease tribal land in accordance with law and to make assignments of tribal land to members of the Tribe in accordance with Article XI of this Constitution.

To impose license fees on non members of the Tribe or associations of nonmembers coming upon the reservation to do business or to reside, subject to review by the Secretary of the Interior.

To levy and collect funds for the payment of state taxes.

To receive, appropriate and expend for public purposes funds coming within the control of the Tribal Council, but no salaries shall be paid to Council members or other tribal officers without the approval of the Tribe.

To regulate the use and disposition of property of members or associations of members of the Tribe in so far as necessary to protect the peace, safety, and general welfare of the Tribe. Any such regulation which directly affects nonmembers of the Tribe shall be subject to review by the Secretary of the Interior.

To charter associations of members of the Tribe which may request such charter.

To settle disputes among members of the Tribe which are not submitted to any State or Federal Court and which are brought before the Tribal Council by any member of the Tribe, after notice and an opportunity to be heard has been given to all parties concerned, and to impose fines to enforce its decisions which may be executed by attachment.

To take action to preserve order among members of the Tribe which action shall be supplementary to and not in conflict with the activities of the federal and state authorities.

To provide for the appointment of guardians for minors and mental incompetents by ordinance or resolution subject to review by the Secretary of the Interior.

To regulate the procedure of the Tribal Council tribal officers and tribal meetings.

To appoint tribal committees and agencies and to delegate to them the execution of any of the foregoing powers, reserving the right to review any action taken.

SEC. 2. 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 ninety days from the date of enactment, rescind the said ordinance or resolution for any cause, by notifying the Tribal Council of such decision.

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

SEC. 3. Future Powers — The Tribal Council may exercise such further powers as may in the future be delegated to the Tribe by the Secretary of the Interior, or by any duly authorized official or agency of the State or Federal Government or by members of the Tribe.

SEC. 4. Reserved Powers — Any rights and powers heretofore vested in the Sac and Fox Tribe in Iowa, but not expressly referred to in this Constitution, shall not be abridged by this article, but may be exercised by the people of the Sac and Fox Tribe in Iowa, through the adoption of appropriate by-laws and constitutional amendments.