

November 21, 1963

*Int
Indians*

Mr. Lawrence Tomah, Jr.
Route 1
Walters, Okla. 73572

Dear Mr. Tomah:

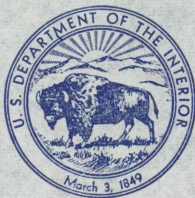
The enclosed letter reveals that the Bureau of Indian Affairs has not as yet received a report regarding consultations between the advocates of the proposed Comanche Constitution and the staff of the Anadarko Area Office.

Since it is the Bureau's opinion that a sound solution to the Tribe's political situation can best be effected at the local level, a copy of your letter and the proposed Comanche Constitution have been forwarded to Area Director Leslie P. Towle, who is being instructed to report to me on the matter.

With best regards and good wishes, I am

Sincerely yours,

Enclosure
jy



IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
WASHINGTON 25, D. C.

Tribal Operations
8163-63

NOV 20 1963

Hon. A. S. Mike Monroney
United States Senate
Washington, D. C.

Dear Senator Monroney:

On November 8, you transmitted a letter from Mr. Edgar Monetatchi of Walters, Oklahoma, enclosing a copy of a proposed Comanche Constitution and the minutes of a tribal meeting at which it was considered.

Our representatives in Anadarko are working directly with the Kiowa, Comanche and Apache Tribes in the hope of establishing a stable political organization. We have received as yet no report regarding consultations between the advocates of the proposed Comanche Constitution and our staff. We are, therefore, forwarding a copy of this letter to Area Director Leslie P. Towle to advise him of your interest and asking him to report directly to you what has transpired concerning this matter.

You may be assured that we share your hope for a satisfactory solution to the Kiowa, Comanche and Apache political situation. We feel strongly, however, that if a sound solution is to be reached, it can best be effected at the local level. Our Anadarko staff is available to assist any group interested in promoting sound government for the members of the Kiowa, Comanche and Apache Tribes.

Sincerely yours,

(SGD) JAMES E. OFFICER
ASSOCIATE Commissioner

Enclosures

November 8, 1963

Mr. Lawrence Tomah, Jr.
Route 1
Walters, Okla. 73572

Dear Mr. Tomah:

Thank you for sending me a copy of the Constitution of the Comanche Indian Tribe adopted at a meeting held at the Fort Sill Indian School on November 2, 1963.

In accordance with your request, I am asking the Bureau of Indian Affairs to give the newly-adopted Constitution prompt and careful consideration. Just as soon as the Bureau replies, I will write you again.

With best regards and good wishes, I am

Sincerely yours,

jy

T. D.
PL 1
Walters, Oklahoma
November 4, 1963



Mike Monroney
U. S. Senator
Washington, D. C.

Dear Sir:

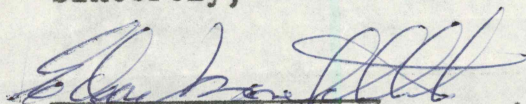
You will find enclosed the minutes of the Comanche Tribal Council held at 1:30 p.m. on November 2, 1963 at the Fort Sill Indian School at Lawton, Oklahoma.

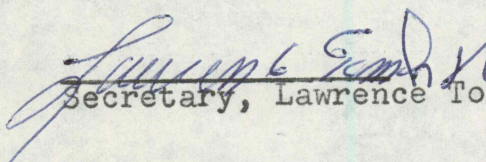
We are asking your help in this matter of the Comanche Indian tribal action.

We are hoping the Indian Bureau will take immediate action.

With your help we know this may be accomplished.

Sincerely,


Chairman, Edgar Monetatchi


Secretary, Lawrence Tomah Jr.

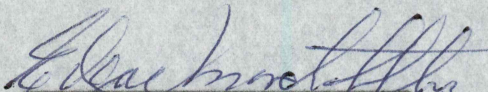
Walters, Oklahoma
November 4, 1963

Mr. Leslie P. Towle
Area Director
Anadarko, Oklahoma

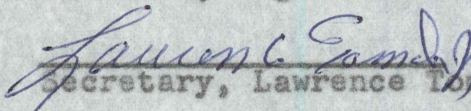
Dear Sir:

You will find enclosed the minutes of the Comanche Tribal Council held on November 2, 1963 at the Fort Sill Indian School at 1:30 p.m.

We sincerely ask you to forward these minutes with your recommendations to the Commissioner of Indian Affairs, as soon as applicable at your earliest convenience.


Chairman, Edgar Monetatchi

Sincerely


Secretary, Lawrence Tonah Jr.

Copies of letter to:

Commissioner of Indian Affairs Nash
Secretary of Interior Udall
U. S. Senator Edmondson
U. S. Senator Monroney
U. S. Congressman Wickersham

COMANCHE TRIBAL MEETING

LAWTON, OKLAHOMA
FORT SILL INDIAN SCHOOL

NOVEMBER 2, 1963

At 1:30 p.m. on November 2, 1963, the meeting of the Comanche Indian Tribe began with Edgar Monetatchi acting as temporary chairman of the meeting. Prayer by Nig Mihecoby.

The temporary chairman appointed Lawrence Tomah Jr. as temporary secretary.

The temporary chairman opened the house for nominations for chairman of the day.

Edgar Monetatchi was nominated by James Cox for chairman--no other nominations.

Vote--majority for Edgar Monetatchi as chairman.
Oppose--none

Mr. Edgar Monetatchi elected chairman for the day.

Nominations for Secretary for the day.

Lawrence Tomah Jr. nominated by Ned Timbo

No other nominations for Secretary.

Vote-- majority for Lawrence Tomah Jr. as secretary.

Oppose--none

The Chairman began by explaining the purpose of this meeting; which had been published by newspapers and radio concerning the proposed Comanche Tribal Constitution.

The Constitution was read article by article and section by section by the Chairman and explained all the questions that were asked for clarifications of parts in the Constitution.

Motion by Melvin Kerchee that the Comanche tribe adopt this Comanche Tribal Constitution.

Seconded by Andrew Weryvah.

Count of adult members present taken by Secretary.
The count was 125 adult members.

Vote--75 for the Comanche tribal constitution
Oppose-- 3

Motion by Leonard Riddles to adjourn

Seconded by Ned Timbo

Majority for adjournment

Oppose--none

Meeting adjourned by the chairman.

Mr. Leslie P. Towle
Area Director
Anadarko, Oklahoma

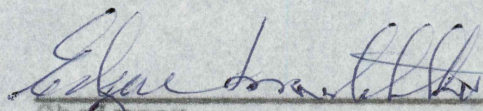
Hon. Phileo Nash
Commissioner of Indian Affairs
Washington, D. C.

Hon. Stewart L. Udall
Secretary of Interior
Washington, D. C.

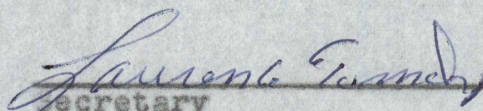
J. Howard Edmondson
United States Senator
Washington, D. C.

Mike Monroney
United States Senator
Washington, D. C.

Victor Wickersham
United States Congressman
Washington, D. C.



Chairman
Edgar Monetatchi



Secretary
Lawrence Tomah Jr.

CONSTITUTION
OF THE COMANCHE INDIAN TRIBE

PREAMBLE

Invoking the guidance of Almighty God, we, the members of the Comanche Indian Tribe, with faith in the purposes of our Supreme Being, with abounding pride in our ancient racial heritage and with the determination to promote, through united efforts, the general well-being of our tribe and to secure to ourselves and our descendants the rights, powers and privileges provided by law do solemnly ordain and establish this organization and adopt the following Constitution.

ARTICLE I NAME

The name of this organization shall be the "Comanche Indian Tribe of Oklahoma."

ARTICLE II PURPOSE

The purpose of this organization shall be:

Section 1. To define, establish and safeguard the rights powers and privileges of the tribe and its members.

Section 2. To improve the economic, moral, educational and health status of its members and to cooperate with and assist the United States in carrying out its programs to accomplish these purposes by all possible means.

Section 3. To promote in other ways the common well-being of the tribe and its membership.

Section 4. To encourage individual members to develop pride in ownership and foster maximum utilization, conservation and retention of the land resources held in trust by the United States for individual members of the tribe.

ARTICLE III MEMBERSHIP

Section 1. The membership of the Comanche Indian Tribe shall consist of the following:

(A) All persons, who received an allotment of land as members of the Comanche Tribe of Oklahoma under the Act of June 6, 1900 (31 Stat. 677) and subsequent Acts, shall be included as full blood members of the tribe.

(B) All living direct descendants of allottees eligible for membership under the provisions of Section 1 (A) of this Article, born on or before the date of adoption of this Constitution.

(C) All children of at least one-fourth ($\frac{1}{4}$) degree Comanche blood born after the date of the adoption of this Constitution to a member of the Comanche Indian Tribe.

Section 2. Applications for new membership in the Comanche Tribe under Section 1 (C) must be supported by authenticated copies

of or other records recognized by State or Federal recorders. All evidence so submitted shall be retained by the tribe to support the record.

Section 3. Any person eligible for membership in the Comanche Indian Tribe under the provisions of Section 1 of this Article shall be considered as members of the Comanche Indian Tribe unless:

(A) The person is an adult and submits in writing to the Tribal Chairman a statement of withdrawal from the Comanche Tribe and relinquishment of all rights of tribal membership, signed by him or her and attested by two (2) witnesses, which statement shall automatically effect a permanent withdrawal from membership in the Comanche Indian Tribe and a relinquishment of all rights and benefits thereunder; or

(B) The person is at the time of the adoption of this Constitution an enrolled member of another Indian tribe or has in the past received and accepted or, if a minor, whose parents or legal guardian has received and accepted for said minor, material or monetary benefits as member of another Indian tribe and who fails or whose parents or legal guardian fails if a minor, within ninety (90) days after the adoption of this Constitution to declare in writing to the Tribal Chairman preference for membership in the Comanche Indian Tribe and at the same time in writing renounces membership in said other tribe, and within a reasonable time thereafter, such renunciation is accepted by said other tribe; or

(C) The person after the adoption of this Constitution by his or her affirmative action or, if a minor, by the affirmative action of his or her parents becomes a recognized or enrolled member of another Indian tribe with the full rights, privileges and powers of membership under the rules of said other tribe, which said affirmative action and subsequent recognition or enrollment shall automatically effect a permanent withdrawal from membership in the Comanche Indian Tribe and a relinquishment of all rights and benefits thereunder; or

(D) The person after the adoption of this Constitution receives and accepts or, if a minor, his or her parents or legal guardian accepts for said minor, material or monetary benefits as a result of membership in another Indian Tribe, which such receipt and acceptance shall automatically effect a permanent withdrawal from membership in the Comanche Indian Tribe and a relinquishment of all rights and benefits thereunder.

Section 4. It shall be the responsibility of the Business Committee to maintain and keep current the tribal membership roll

ARTICLE IV ORGANIZATION AND OFFICERS

Section 1. The supreme governing body of this organization shall be the Comanche Tribal Council.

Section 2. In addition to the Tribal Council, there shall be elected a Comanche Business Committee.

Section 3. The elective officers of the Tribal Council shall be a Tribal Chairman, a Tribal Vice-Chairman and a Tribal Secretary-Treasurer. In addition, these officers shall serve in the same capacity on the Comanche Business Committee.

ARTICLE V TRIBAL COUNCIL

Section 1. The General Council shall consist of all members of this organization, 21 years or older.

Section 2. There shall be an annual General Council, on the third Saturday in April of each year at 1:30 p.m. at the Fort Sill Indian School, Lawton, Oklahoma.

Section 3. In addition to the annual Tribal Council, the Tribal Chairman shall be required to call a special Tribal Council in the following cases:

- (A) Upon written request by the Area Director or comparable officer; or
- (B) When he is so requested in writing by as many as three members of the Business Committee, setting forth the purpose for the meeting; or
- (C) When he is so requested by a petition signed by two hundred (200) adult members of the Comanche Indian Tribe, setting forth the purpose for the meeting consistent with the Constitution. In either of said cases, if the Tribal Chairman refuses to call a meeting of the General Council or neglects to do so for ten (10) days after he is so requested, the Area Director or comparable officer shall be authorized to call such meeting and shall do so by notifying the officers and members of the Business Committee.

Section 4. Notice of all meetings of the General Council, including the annual meeting, shall be given by the Secretary-Treasurer or any other officer as follows:

- (A) By mailing a postal card or letter to each member of the Business Committee at least ten (10) days prior to the meeting date, stating the date, time, place and purpose of the meeting; and
- (B) By inserting a notice in the local newspapers containing the same information as set forth above. Radio, TV, or other media of notice may be utilized depending on availability and at the discretion of the Business Committee.

Section 5. Only members who are 21 years old or older shall be entitled to vote in a meeting of the General Council or to hold office or to be elected to the Business Committee. Members under that age may take part in discussions only.

Section 6. No action shall be taken by the Tribal Council unless quorum is present. A quorum shall consist of two hundred fifty (250) members, eligible to vote.

Section 7. All votes taken shall be by standing vote or secret ballot process.

Section 8. The Tribal Council shall be exclusive jurisdiction subject to the approval of the United States Government where applicable, over the following matters:

- (A) To change, modify, alter or revoke membership rules.

(B) To execute leases, contracts or permits for more than one year on tribal property, but this does not include any individually-owned land or personal property.

(C) To elect tribal officers and members of the Business Committee and to fill vacancies which may occur.

(D) To modify, amend, or revoke this Constitution or to adopt, revoke or modify bylaws.

(E) To authorize the expenditure of tribal funds.

(F) To select and authorize tribal delegations to transact business on behalf of the tribe.

Section 9. All minutes of the Tribal Council shall be published in a manner to be determined by the Tribal Council.

ARTICLE VI BUSINESS COMMITTEE

Section 1. The Comanche Business Committee shall be composed of seven (7) members of the Comanche Tribe, 21 years old or older, to be elected as provided in Article III of this Constitution.

Section 2. The Business Committee shall meet on the first Saturday of the months of January, April, July and October of each year at 10:00 A.M. In the case of a legal holiday, the meeting will be held on the following Saturday. Other special meetings may be called by the Tribal Chairman at his discretion, provided that such special meetings do not exceed a total of twelve (12) meetings per calendar year.

Section 3. Notice of all meetings of the Business Committee, including the regular meetings as set forth above, shall be given by the Tribal Secretary-Treasurer, or any other officer, by mailing a letter or postal card to each member of the Business Committee at least ten (10) days prior to the meeting date, setting forth the date, time, place and purpose in general terms.

Section 4. No action shall be taken by the Business Committee except when a quorum is present. A quorum shall consist of five Committeemen.

Section 5. At the beginning of each meeting of the Comanche Business Committee, the Tribal Secretary-Treasurer, or in his absence the Acting Secretary as may be appointed by the Tribal Chairman, shall call the roll of the members of the Business Committee and shall keep a record in the permanent minute book of the names of those present and those absent. If a Tribal Committeeman is absent for four (4) consecutive meetings of the Business Committee, the Tribal Chairman shall declare his seat vacant and so notify in writing the Tribal Committeeman affected.

Section 6. All minutes of the Business Committee shall be published in a manner to be determined by the Tribal Council or Business Committee.

ARTICLE VII DUTIES OF OFFICERS

Section 1. The Tribal Chairman shall be the chief executive of the Comanche Tribe exercising the authorities and powers as delegated to his office by the Constitution and the Comanche Tribal Council. He shall preside at all meetings of the Business Committee and be a member of all tribal delegations. When so authorized by the Comanche Tribal Council, he shall sign necessary papers and instruments for the Comanche Tribe.

Section 2. The Tribal Vice-Chairman shall perform the duties of the tribal Chairman in the event of the absence or disability of the Tribal Chairman.

Section 3. The Tribal Secretary-Treasurer shall preside in the absence of the other officers and shall keep the records of the organization; shall record and keep the minutes of the Tribal Council and the Business Committee meetings in a permanent book; and shall be responsible for sending all notices of meetings as herein required, shall keep copies of all such notices and requests for meetings together with a statement by him or another officer, as the case may be, that such notices were mailed and published as required herein and place the same in the permanent minute book as a preface to the minutes of the meeting so called.

Section 4. All minutes of the Tribal Council and Business Committee meetings and resolutions shall be sent to the Area Office.

ARTICLE VIII ELECTIONS

Section 1. As soon as practicable after this Constitution is adopted the Area Director, Anadarko Area Office, shall call a Tribal Council and shall hold and supervise the first nomination and election hereunder for the Tribal Committeemen and officers, as follows:

(A) The Area Director may at his discretion delegate chairmanship of the initial meeting to an employee under his supervision. A secretary for the proceedings may be provided by the Area Director from his staff or may also designate this responsibility to a member of the Comanche Tribe.

(B) At the initial meeting the Tribal Council shall nominate candidates for the election of a Tribal Chairman for three (3) years, a Vice-Chairman for three (3) years, a Secretary-Treasurer for two (2) years and two Business Committee members for two (2) years, and two Business Committee members for one (1) year. Nominations shall be made from the floor and accepted by the Chairman.

(C) A list of nominees shall be made a part of the official minutes of the proceedings of this initial organization meeting/ from which determination shall be made that all such nominees are officially qualified as candidates for office in accordance with the provisions Article XI of this Constitution. The Area Director, Anadarko Area Office will be the final authority in making such determination of qualification of candidates for the initial election of officers of the Comanche Indian Tribe.

(D) Following the initial organization meeting a meeting shall be held to elect the Business Committee and Officers for which candidates were nominated during the initial meeting. This election day shall be declared by the Area Director, Anadarko Area Office.

Election of Committeemen and officers shall be by secret ballot process. No absentee ballots will be considered for such election.

Section 2. At each annual Comanche Tribal Council meeting subsequent to the first election of Officers and Business Committeemen, under this Constitution, candidates will be nominated to compete for election to offices being vacated by reason of expiration of term of office. Determination of qualification of nominated candidates and election processes shall be as described in Section 1 (C) and (D) of this Article except that the Comanche Tribal Officers and Business Committeemen will assume the responsibilities previously assumed by the Area Director, Anadarko Area Office.

ARTICLE IX VACANCIES AND REMOVAL FROM OFFICE

Section 1. If a Committeeman or Officer of the Tribe shall die or resign, be removed or recalled from office, his office shall be deemed vacant and the Tribal Chairman, or should this office be vacant, the Tribal Vice-Chairman shall immediately call a meeting of the Comanche Tribal Council for the purpose of filling such vacancy for the unexpired term, except that when such vacancy shall occur within four months of the annual meeting of the Comanche Tribal Council, the Tribal Chairman shall not call such special meeting of the Comanche Tribal Council.

Section 2. The Comanche Tribal Council may at any annual meeting or at any special meeting duly called remove any officer or committeeman from office for neglect of duty or conduct that has brought disrepute upon the Tribe. Before any vote for removal is taken, a signed Bill of Particulars setting forth the elements of neglect or misconduct shall be presented by the accusers to the Tribal Council and the accused must be given an adequate opportunity to answer any and all charges of which he is accused. A majority vote of the Comanche Tribal Council shall be sufficient to effect removal from office and the decision of the Comanche Tribal Council shall be final. The accused would have recourse through the State courts for damages of slander and the tribal records and charges shall be made available to the courts on request of the accused.

Section 3. Any officer or committeeman who shall be found guilty by any State or Federal Court of felony or of a misdemeanor involving dishonesty or accepting a bribe shall forfeit his office and such office shall immediately become vacant.

ARTICLE X SPOKESMAN AND DELEGATES

Section 1. No individual or group of individuals shall attempt to officially represent the Comanche Tribe except when specifically authorized to do so by resolution passed by the Tribal Council and when so authorized, the term of such resolution shall not be deviated from nor the power therein given be exceeded.

Section 2. No delegation from the Comanche Tribe shall ever be sent except when a resolution authorizing such delegation has been approved by the Tribal Council, properly called for that purpose, which resolution shall set out the specific purpose of sending such delegation and define the delegations's powers.

ARTICLE XI QUALIFICATIONS OF OFFICERS

Section 1. Any person elected to membership on the Business Committee shall not be less than 21 years of age and shall be a member of the Comanche Indian Tribe.

Section 2. No member of the Comanche Indian Tribe who has been convicted of a felony or of a misdemeanor involving dishonesty or accepting a bribe shall be eligible to hold office.

ARTICLE XII BILL OF RIGHTS

Section 1. All members of the Comanche Indian Tribe shall enjoy without hindrance freedom of worship, conscience, speech, press, assembly and association.

Section 2. This Constitution shall not in any way be construed to alter, abridge or otherwise jeopardize the rights and privileges of the Comanche Indians as citizens of the United States.

Section 3. The individual vested property rights of any member of the Comanche Indian Tribe, which shall include restricted lands and income therefrom as well as personal property, shall not be altered, abridged or otherwise affected by the provisions of this Constitution.

ARTICLE XIII ADOPTION AND AMENDMENTS

Section 1. This Constitution shall be effective when accepted by the Secretary of the Interior and ratified by a majority vote of the members of the Comanche Indian Tribe voting in an election called by the Secretary of the Interior.

Section 2. Amendments to this Constitution may be proposed by a majority vote of the Business Committee or by a petition signed by two hundred (200) adult members of the Tribe, and if accepted by the Secretary of the Interior shall be submitted to a referendum vote of the adult members of the Tribe.