

CONSTITUTION AND BY-LAWS OF THE QUILEUTE TRIBE OF THE QUILEUTE RESERVATION

PREAMBLE

We, the Indians of the Quileute Tribe of the Quileute Reservation, Washington, pursuant to the Act of Congress of June 18, 1934, do hereby establish this Constitution of the Quileute Tribe, in order to secure a more perfect tribal organization, promote the general welfare, encourage educational progress, conserve and develop our lands and resources, and secure to ourselves and our posterity the power to exercise certain rights of home rule.

ARTICLE I-TERRITORY

The jurisdiction of the Quileute Tribe shall include all the territory within the original confines of the Quileute Reservation as set forth by Executive Order of February 19, 1889; such other lands as have been or may hereafter be added thereto under any law of the United States, except as otherwise provided by law; and all off-Reservation lands held in trust by the United States on behalf of the Quileute Tribe, except as otherwise provided by law.

ARTICLE II-MEMBERSHIP

SECTION 1. The membership of the Quileute Tribe shall consist of: (a) All persons of Indian blood whose names appear on the official census roll of the Tribe as of April 1, 1935; and

(b) All children born to any member of the Tribe; provided that no member may be enrolled in another federally recognized Indian tribe.

SEC. 2. The Tribal Council shall have the power to promulgate ordinances governing future membership and the adoption of new members, making any necessary adjustments of property rights.

ARTICLE III-GOVERNING BODY

SECTION 1. The governing body of the Quileute Tribe shall consist of a council known as the Quileute Tribal Council.

SEC. 2. This Council shall consist of five (5) members each of whom shall serve three years and until his successor is elected and installed. Two (2) members shall be elected each year on the third Friday in January except 1937 and every third year thereafter when one (1) shall be elected.

SEC. 3. The Council so organized shall elect from within its own number (1) a Chairman; (2) a Vice-Chairman; and from within or without, (3) a Secretary, and (4) a Treasurer, and may appoint or employ such other officers or committees as may be deemed necessary.

SEC. 4. Within thirty (30) days after the ratification of this Constitution and its approval by the Secretary of the Interior, the present Tribal Council shall call a general tribal meeting for the election of officers in accordance with this Constitution. The two (2) candidates receiving the highest number of votes shall hold office until their successors are elected and installed in 1939; the two candidates receiving the next highest number of votes shall hold office until their successors are elected and installed in 1938; and the next highest, until his successor is elected in 1937.

ARTICLE IV-ELECTIONS FOR THE TRIBAL COUNCIL

SECTION 1. Any member of the Quileute Indian Tribe eighteen (18) years of age or over who has maintained legal residence within the Quileute Reservation or within the territory of Clallam County for one year immediately preceding any election, shall be entitled to vote therein and any member of the Quileute Indian Tribe twenty-one (21) years of age or over who meets the foregoing residency requirement shall be entitled to be elected to office therein.

SEC. 2. All elections shall be by secret ballot and shall be held in accordance with the rules and regulations prescribed by the Tribal Council or by an election board appointed by the Tribal Council.

ARTICLE V-VACANCIES AND REMOVAL FROM OFFICE

SECTION 1. If a Council member shall die, resign, or permanently leave the reservation, be recalled or removed from office for cause, the Council shall declare the position vacant and appoint a successor to serve until the annual general tribal meeting is held in January, at which time the general tribal meeting shall elect a successor for the unexpired term.

SEC. 2. The Tribal Council may, by a four-fifths (4/5) vote of its total membership, expel any member for neglect of duty or gross misconduct, provided charges are made in writing, subscribed by competent witnesses and formally served upon the accused at least five (5) days prior to a public hearing. The accused member shall be given a full and fair opportunity to reply to any and all such charges against him, and also the opportunity to summon witnesses in his behalf.

SEC. 3. Upon a petition of at least one-third (1/3) of the eligible voters of the Quileute Tribe it shall be the duty of the Tribal Council to call a special election to consider the recall of the member or members of the Council named in such petition. If a majority of those voting in such election shall vote in favor of such recall from office, the office shall be declared vacant, and the Tribal Council shall proceed in the usual manner to hold an election to fill the said office.

ARTICLE VI-POWERS OF THE TRIBAL COUNCIL

SECTION 1. The Quileute Tribal Council shall exercise the following powers, subject to any limitations imposed by the Federal Statutes, the Constitution of the United States, and subject further to all express restrictions upon such powers provided in this Constitution and By-Laws:

(a) To negotiate with the Federal, State, and local governments on behalf of the Quileute Tribe, and to advise and consult with the representatives of the Interior Department on all activities of the Department that may effect the Quileute Tribe and its members.

(b) To employ legal counsel for the protection and advancement of the rights of the Quileute Tribe, and its members.

(c) To approve or veto any sale, disposition, lease or encumbrance of tribal lands, interests in lands or other tribal assets, provided that no tribal lands shall ever be sold or encumbered, or leased for a period exceeding that permitted by law, except for governmental purposes.

(d) To advise with the Secretary of the Interior or his representatives on all appropriation estimates or Federal projects for the benefit of the Quileute Tribe, prior to the submission of such estimates to the Bureau of the Budget and to Congress.

(e) To manage all economic affairs and enterprises of the Quileute Tribe.

(f) To levy and collect assessments upon members of the Quileute Tribe, or to require the performance of community labor in lieu thereof, provided that no taxes may be levied, nor community labor required, except when approved at the annual January general tribal meeting, or at a special general tribal meeting called for that purpose.

(g) To levy and collect taxes or license fees upon non-members doing business on the reservation, to exclude from the territory of the Tribe persons not legally entitled to reside thereon, or trespassers upon the reservation, under ordinances.

(h) To enact resolutions or ordinances not inconsistent with Article II of this Constitution governing adoption and abandonment of membership, and to keep at all times a correct roll of the members of the Quileute Indian Tribe.

(i) To promulgate and enforce ordinances governing the conduct of members of the Quileute Tribe, and providing for the maintenance of law and order, and the administration of justice by establishing a Tribal Court, and defining its duties, powers and limitations.

(j) To safeguard and promote the peace, safety, morals and general welfare of the Quileute Tribe by regulating the conduct of trade, and the use and disposition of property upon the reservation.

(k) To charter subordinate organizations for economic purposes, and to regulate the activities of cooperative associations of members of the Quileute Indian Tribe by ordinances.

(l) To appropriate for public purposes of the reservation any available tribal funds, provided that any such appropriation made prior to July 1, 1940, shall be subject to review by the Secretary of the Interior.

(m) To provide for the appointment of guardians for minors and mental incompetents by ordinance or resolution.

(n) To adopt resolutions regulating the procedure of the Council itself, and other tribal agencies and tribal officials of the reservation.

(o) To acquire, under condemnation proceedings in courts of competent jurisdiction, land or other property needed for public purposes.

(p) To make assignments of tribal land to members of the Tribe in conformity with Article VIII of this Constitution.

(q) To regulate the domestic relations of members of the Tribe.

(r) To delegate to subordinate boards, or to cooperative associations, which are open to all members of the Tribe, any of the foregoing powers, reserving the right to review any action taken by such body to whom such power has been delegated.

SEC. 2. *Further powers.*-The Quileute Tribal Council may exercise such further powers as may in the future be delegated to the Council by the Secretary of the Interior, or by any other duly authorized official or agency of government.

SEC. 3. *Reserved powers.*-Any rights or powers heretofore vested in the Quileute 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 Quileute Tribe through the adoption of appropriate by-laws and constitutional amendments.

ARTICLE VII-BILL OF RIGHTS

SECTION 1. *Suffrage.*-All members of the Tribe over the age of eighteen (18) shall have the right to vote in all tribal reservation elections. The residence qualifications established by Article IV of this Constitution shall apply to all elections except elections for the amendment of this Constitution and By-laws.

SEC. 2. *Economic rights.*-All members of the Tribe shall be accorded equal opportunities to participate in the economic resources and activities of the reservation.

SEC. 3. *Civil liberties.*-All members of the Tribe may enjoy, without hindrance, freedom of worship, conscience, speech, press, assembly, and association.

SEC. 4. *Rights of accused.*-Any member of the Quileute Tribe accused of any offense shall have the right to a prompt, open and public hearing, with due notice of the offense charged, and shall be permitted to summon witnesses on his own behalf. Trial by jury may be demanded by any prisoner accused of any offense punishable by more than thirty (30) days imprisonment or more than forty-five (\$45.00) dollars fine.

Excessive bail shall not be required and cruel punishment shall not be imposed.

ARTICLE VIII-LAND

SECTION 1. *Allotted lands.*-Allotted lands, including heirship lands, within the Quileute Reservation shall continue to be held as heretofore by their present owners. It is recognized that under existing law such lands may be condemned for public purposes, such as roads, public buildings, or other public improvements, upon payment of adequate compensation, by any agency of the State of Washington or of the Federal Government, or by the Tribe itself. It is further recognized that under existing law such lands may be inherited by the heirs of the present owner, whether or not they are members of the Quileute Tribe. Likewise, it is recognized that under existing law, the Secretary of the Interior may, in his discretion, remove restrictions upon such land, upon application by the Indian owner, whereupon the land will become subject to State taxes and may then be mortgaged or sold. The right of the individual Indian to hold or to part with his land, as under existing law, shall not be abrogated by anything contained in this Constitution, but the owner of restricted land may, with the approval of the Secretary of the Interior, voluntarily convey his land to the Quileute Tribe either in exchange for a money payment or in exchange for an assignment covering the same land, or other land, as hereinafter provided.

SEC. 2. *Tribal lands.*-The unallotted lands of the Quileute Reservation, and all lands which may hereafter be acquired by the Quileute Tribe or by the United States in trust for the Quileute Tribe, shall be held as tribal lands, and no part of such land shall be mortgaged or sold. Tribal lands shall not be allotted to individual Indians but may be assigned to members of the Quileute Tribe, or leased, or otherwise used by the Tribe, as hereinafter provided.

SEC. 3. *Leasing of tribal lands.*-Tribal lands may be leased by the Tribal Council, with the approval of the Secretary of the Interior if required by applicable law, for such periods of time as are permitted by law.

In the leasing of tribal lands, preference shall be given, first, to cooperative associations of members of the Tribe, and second, to members of the Quileute Tribe.

SEC. 4. *Grant of standard assignments.*-In any assignment of tribal lands which now are owned by the Tribe or which hereafter may be acquired for the Tribe by the United States or purchased by the Tribe out of tribal funds, preference shall be given, first, to heads of families which are entirely landless, and second, to heads of families whose assignments consist of less than an economic unit. No allotted member of the Quileute Tribe who may hereafter have the restrictions upon his land removed and whose land may thereafter be alienated, except to the Tribe, shall be entitled to receive an assignment of land as a landless member.

The Tribal Council may, if it sees fit, charge a fee of not to exceed five (\$5.00) dollars on approval of an assignment made under this section.

Assignments made under this section shall be for the primary purpose of establishing homes for landless members and shall be known as standard assignments.

SEC. 5. *Tenure of standard assignments.*-If any member of the Tribe holding a standard assignment of land shall, for a period of two (2) years, fail to use the land so assigned or use such land for any unlawful purpose, his assignment may be canceled by the Tribal Council after due notice and an opportunity to be heard, and the said land may be reassigned in accordance with the provisions of section 4 of this article.

Upon the death of any Indian holding a standard assignment, his heirs or other individuals designated by him, by will or by written request, shall have a preference in the reassignment of the land, provided such persons are members of the Quileute Tribe who would be eligible to receive a standard assignment.

SEC. 6. *Grant of exchange assignments.*-Any member of the Tribe who owns an allotment or any share of heirship land may voluntarily transfer his interests in such land to the Tribe in exchange for an assignment to the same land or other land of equal value. If the assignee prefers, he may receive, in lieu of a specific tract of land, a proportionate share in a larger unit.

Assignments made under this section shall be known as exchange assignments.

SEC. 7. *Leasing of exchange assignments.*-Exchange assignments may be used by the assignee or leased by him to Indian cooperative associations of members of the Tribe or to individual members of the Tribe, or, if no individual member or cooperative association of members of the Tribe is able and willing to rent the land at a reasonable fee, such assignments may be leased to non-Indians in the same manner as allotted lands.

SEC. 8. *Inheritance of exchange assignments.*-Upon the death of the holder of any exchange assignment, such land shall be reassigned by the Tribal Council to his heirs or devisees, subject to the following conditions:

(a) Such lands may not be reassigned to any heir or devisee who is not a member of the Quileute Tribe, except that a life assignment may be made to the surviving widower or widow of the holder of an assignment.

(b) Such lands may not be reassigned to any heir or devisee who already holds more than an economic unit of land, to be determined from time to time by the Tribal Council.

(c) Such lands may not be subdivided among heirs or devisees into units too small for convenient management. No area of uncleared or timber land shall be subdivided into units smaller than forty (40) acres, and no area of tillable agricultural land shall be subdivided into units smaller than two and one-half (2 1/2) acres, except that land used for buildings or other improvements may be divided to suit the convenience of the parties. Where it is impossible to divide the land properly among the eligible heirs or devisees, the Tribal Council may issue to the

eligible heirs or devisees other interests in tribal lands of the same value as the assignment of the decedent.

(d) If there are no eligible heirs or devisees of the decedent, the land shall be eligible for reassignment in accordance with the provisions of section 4 of this article.

SEC. 9. *Inheritance of improvements.*-Improvements of any character made upon assigned land may be bequeathed to and inherited by members of the Quileute Tribe or otherwise disposed of under such regulations as the Tribal Council shall provide; provided, that sales of improvements on the land of any decedent can be made only to members of the Quileute Indian Tribe.

SEC. 10. *Exchange of assignments.*-Assignments may be exchanged between members of the Quileute Tribe by common consent in such manner as the Tribal Council shall designate.

SEC. 11. *Use of unassigned tribal land.*-Tribal land which is not assigned, including tribal timber reserves, shall be managed by the Tribal Council for the benefit of the members of the entire Tribe, and any cash income derived from such land shall accrue to the benefit of the Tribe as a whole. All action of the Tribal Council with respect to such lands shall be in conformity with departmental regulations for the protection of Indian range and timber resources authorized by section 6 of the Act of June 18, 1934.

SEC. 12. *Purchase of land by tribe.*-Tribal funds may be used, with the consent of the Secretary of the Interior if required by applicable law, to acquire land, under the following conditions:

(a) Land within the Quileute Reservation or adjacent to the boundaries thereof which is not now in Indian ownership, may be purchased by or for the Quileute Tribe.

(b) Restricted land, which is in heirship status at the time of the adoption and approval of this Constitution, may be purchased by or for the Tribe, with the consent of all the adult heirs, and the legal guardians of minor heirs, payment therefor to be made as may be agreed upon.

(c) Land owned by any member of the Tribe who is over the age of sixty (60) years, or who is physically incapacitated, may be transferred by its owner to the Tribe in exchange for a pension of not more than twice the annual rental value of the land for the life or the pensioner, to be paid out of available tribal funds.

(d) Land owned by any member of the Tribe in excess of his needs for domestic purposes may be purchased by the Tribe with the consent of the owner, payments to be made on such terms as may be agreed upon by the Council and the owner.

(e) Land owned by any members of the Tribe who desire to leave the reservation permanently may be purchased by the Tribe under such terms as may be agreed upon.

SEC. 13. *Method of making assignments.*-Applications for assignment shall be filed with the Secretary of the Council and shall be in writing, setting forth the name of the person or persons applying for the land and as accurate a description of the land desired as the circumstances will permit.

Notices of all applications received by the Secretary shall be posted by him in the Agency office and in at least three conspicuous places on the reservation for not less than twenty (20) days before action is taken by the Council. Any member of the Tribe wishing to oppose the granting of an assignment shall do so in writing, setting forth his objections, to be filed with the Secretary of the Council, and may if he so desires, appear before the Council to present evidence. The Secretary of the Council shall furnish the Superintendent or other officers in charge of the agency a complete record of all action taken by the Council on applications for assignment of land, and a complete record of assignments shall be kept in the agency office and shall be open for inspection by members of the Tribe.

The Council shall draw up one or more forms for standard and exchange assignments.

ARTICLE IX-REFERENDUM

Upon a petition of at least one-third (1/3) of the qualified voters of the Quileute Tribe, a referendum may be demanded on any enacted or proposed ordinance or resolution of the Tribal Council, and the vote of the majority of the qualified voters in such referendum shall be conclusive and binding on the Tribal Council.

ARTICLE X-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 Tribal Council, provided that at least thirty (30) percent of those entitled to vote shall vote in such election.

It shall be the duty of the Tribal Council to call an election on any proposed amendment upon receipt of a petition signed by one-third (1/3) of the qualified voters, members of the Tribe.

BY-LAWS OF THE QUILEUTE TRIBE OF THE QUILEUTE RESERVATION

ARTICLE I-DUTIES OF OFFICERS

SECTION 1. *Chairman of the council.*-The Chairman of the Council shall preside over all meetings of the Council; shall perform all duties of the Chairman and exercise any authority delegated to him by the Council. The Chairman shall also preside at all regular and special meetings of a general tribal nature. He shall vote only in the case of a tie.

SECTION 2. *Vice-chairman of the council.*-The Vice-Chairman shall assist the Chairman when called upon so to do. In the absence of the Chairman, he shall preside. When so presiding, he shall have all the rights, privileges, duties and responsibilities of the Chairman.

SECTION 3. *Secretary of the council.*-The Secretary of the Tribal Council shall conduct all tribal correspondence and shall keep an accurate record of all business transacted at Council meetings. It shall be his duty to keep minutes of regular and special Council or general tribal meetings.

SEC. 4. *Treasurer of the council.*-The Treasurer of the Tribal Council shall account for, receive, receipt for, preserve and safeguard all funds in the custody of the Council, whether the same be tribal or other funds for which the Council is acting as trustee or custodian. Deposits of such funds shall be made in a bank or elsewhere, as designated by the Council, and he shall make and preserve a financial record of all such funds and shall report on all receipts and expenditures, and the amount and nature of all funds in his possession or custody, such report being made in writing to the Council at regular meetings, and at such other times as requested by the Council. He shall not pay out or otherwise disburse any funds in his possession or custody, or in the possession or custody of the Council, until properly authorized so to do by resolution duly passed by the Council.

The books and records of the Treasurer shall be audited at least once each year by a competent auditor employed by the Council and at such other times as the Council or the Commissioner of Indian Affairs may direct.

The Treasurer shall be required to furnish a bond satisfactory to the Council and to the Commissioner of Indian Affairs, and the Council is hereby authorized to pay the premium on such bond from any available funds. The Treasurer shall be present at all special or regular meetings of the Council.

SEC. 5. *Duties of appointive officers and boards.*-The duties of all appointive boards or officers of the Council shall be clearly defined by resolution of the Council at the time of their creation or appointment. Such boards and officers shall report from time to time, as required, to the Council, and their activities and decisions shall be subject to review by the Council upon the complaint of any person aggrieved.

ARTICLE II-CERTIFICATE OF ELECTION

It shall be the duty of the Tribal Council, or a board appointed by them, to certify to the election of the newly elected Tribal Council members within five (5) days after the election and thereupon they shall be notified by the Secretary of their election.

ARTICLE III-INSTALLATION OF OFFICERS AND COUNCIL MEMBERS

Newly elected members who have been duly certified shall be installed thereafter at the next regular meeting of the Tribal Council. Each member of the Tribal Council and each officer or subordinate officer, elected or appointed hereunder, shall take an oath of office prior to assuming the duties thereof, by which oath he shall pledge himself to support and defend the Constitution of the United States and this Constitution and By-laws.

Oath: "I, -----, do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the Quileute Tribe against all enemies; that I will carry out, faithfully and impartially, the duties of my office to the best of my ability; that I will cooperate, promote, and protect the best interests of my Tribe, in accordance with its Constitution and By-laws."

ARTICLE IV-COMPENSATION

The Tribal Council may prescribe such compensation of officers or members of the Council as it deems advisable from such funds as may be available, subject to approval of the general tribal meeting.

ARTICLE V-TIME AND PLACE OF MEETINGS

SECTION 1. *Meetings*.-Regular meetings of the Tribal Council shall be held at La Push, Washington, according to a regular schedule established by the Council, and at such other times as the Council may by resolution designate.

Special meetings may be called by the Chairman or by written notice signed by the majority of the Tribal Council and when so called, the Tribal Council shall have power to transact business as in regular meetings.

SEC. 2. *Quorum*.-No business shall be transacted unless a quorum is present. A quorum shall consist of four (4) Council members.

SEC. 3. *Order of business*.-The following order of business is established for all meetings:

1. Call to order by Chairman.
2. Roll call.
3. Reading the minutes of last meeting.
4. Unfinished business.
5. Reports.
6. New business.
7. Adjournment.

SEC. 4. *Ordinances and resolutions*.-All final decisions of the Tribal Council on matters of general and permanent interest to the members of the Tribe shall be embodied in ordinances. Such ordinances shall be collected and published from time to time for the information and education of the members of the Tribe.

All final decisions of the Tribal Council in matters of temporary interest (such as action on the tribal budget for a single year or petitions to Congress or the Secretary of the Interior) or relating especially to particular individuals or officials (such as adoption of members, instructions for tribal employees or rules of order for the Tribal Council) shall be embodied in resolutions. Such resolutions shall be recorded in a special book which shall be open to public inspection.

All questions of procedure (such as acceptance of committee reports or invitations to outsiders to speak) shall be decided by action of the Tribal Council or by the ruling of the Chairman if no objection is heard.

In all ordinances, resolutions, or motions, the Tribal Council may act by majority vote, but all matters of importance shall be fully discussed and a reasonable attempt shall be made to secure unanimous agreement.

Every ordinance shall begin with the words: "Be it enacted by the Quileute Tribal Council--."

Every resolution shall begin with the words: "Be it resolved by the Quileute Tribal Council--."

ARTICLE VI-GENERAL TRIBAL MEETINGS

SECTION 1. There shall be an annual general tribal meeting open to all members of the Tribe, held at La Push, Washington, on the third Friday in January. At this meeting, elections shall be held as designated heretofore in this Constitution. The by-laws, orders and resolutions, which are subject to approval at the general tribal meeting, shall be taken up for consideration at this time.

It shall also be the duty of the Chairman to make a report of the activities of the Council throughout the year, and to outline proposed plans for economic and social betterment of the Tribe.

SEC. 2. Special general tribal meetings may be called by the Chairman of the Tribal Council provided that due notice is posted throughout the reservation at least fifteen days prior to such meeting.

One-third (1/3) of the legal voters of the Tribe may at any time, by written petition, call a general tribal meeting provided that at least fifteen days' notice is posted throughout the reservation.

ARTICLE VII-ADOPTION OF CONSTITUTION AND BY-LAWS

This Constitution and By-laws, when ratified by a majority vote of the qualified voters of the Quileute Tribe of the Quileute Reservation voting at an election called for the purpose by the

Secretary of the Interior, provided that at least thirty (30) percent of those entitled to vote shall vote in such election, shall be submitted to the Secretary of the Interior, and, if approved, shall be effective from the date of approval.

CERTIFICATION OF ADOPTION

Pursuant to an order, approved September 12, 1936, by the Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the members of the Quileute Tribe of the Quileute Reservation and was on October 10, 1936, duly adopted by a vote of 37 for, and 12 against, in an election in which over 30 percent 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).

MORTON PENN,

Chairman of Election Board.

SARAH WOODRUFF,

Secretary of Election Board.

W. O. NICHOLSON,

Superintendent in charge of the reservation.

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 Quileute Tribe of the Quileute Reservation.

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 the Quileute Tribe of the Quileute Reservation.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and By-laws.

Approval recommended November 6, 1936.

WILLIAM ZIMMERMAN, JR.,

Commissioner of Indian Affairs.

HAROLD L. ICKES,

Secretary of the Interior.

[SEAL]

WASHINGTON, D. C., November 11, 1936.

**AMENDMENTS TO THE CONSTITUTION AND BY-LAWS
FOR THE QUILEUTE TRIBE OF THE QUILEUTE
RESERVATION, WASHINGTON**

AMENDMENT I.

Article VI, Section 1 (c) of the Quileute Constitution which reads as follows:

“(c) To approve or veto any sale, disposition, lease or encumbrance of tribal lands, interests 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 official or agency of government, provided that no tribal lands shall ever be sold or encumbered, or leased for a period exceeding ten (10) years except for governmental purposes.”

shall be amended to read as follows:

“(c) To approve or veto any sale, disposition, lease or encumbrance of tribal lands, interests in lands or other tribal assets which may be authorize d or executed by the Secretary of the Interior, the Commissioner of Indian Affairs, or any other official or agency of government, provided that no tribal lands shall ever be sold or encumbered, or leased for a period exceeding that permitted by law, except for governmental purposes.”

CERTIFICATION OF ADOPTION

Pursuant to sections 16 and 17 of the Act of June 18, 1934 (48 Stat. 984), this amendment, issued on November 30, 1948, by the Assistant Secretary of the Interior to the Quileute Indian Tribe of the Quileute Indian Reservation, Wash., was duly submitted to the adult Indians living on the reservation, and was on December 27, 1948, duly ratified by a vote of 21 for, and 0 against, in an election in which over 30 percent of those entitled to vote cast their ballots.

**BRYAN COLE,
REX WARD,
JOHNNY JACKSON,**

Members of Election Board.

APPROVAL

I, William E. Warne, Assistant 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 Amendment I to the Constitution and By-laws for the Quileute Tribe, Washington.

Approval recommended: March 11, 1949.

JOHN H. PROVINSE,
Commissioner.

[SEAL] **WILLIAM E. WARNE,**
Assistant Secretary of the Interior.

WASHINGTON, D. C., March 11, 1949.

AMENDMENT II.

In furtherance of the Quileute Tribe's sovereignty, self-governance, and self-determination, the Quileute Tribe shall not be subject to unnecessary federal oversight or control. The Quileute Constitution and By-Laws are accordingly amended as follows:

1. In Article II, Section 2, delete "subject to review by the Secretary of the Interior";
2. In Article VI, Section 1(b), delete "the choice of such counsel and the fixing of fees to be subject to the approval of the Secretary of the Interior";
3. In Article VI, Section 1(c), delete "which may be authorized or executed by the Secretary of the Interior, the Commissioner of Indian Affairs, or any other official or agency of government";
4. In Article VI, Section 1(e), delete "in accordance with the terms of a charter that may be issued to the Quileute Tribe by the Secretary of the Interior";
5. In Article VI, Section 1(g), delete "all of which shall be subject to review by the Secretary of the Interior";
6. In Article VI, Section 1(i), delete "which shall be subject to review by the Secretary of the Interior";
7. In Article VI, Section 1(j), delete "provided that any ordinances directly affecting non-members of the Tribe shall be subject to review by the Secretary of the Interior";
8. In Article VI, Section 1(k), delete "provided that any such ordinances shall be subject to review by the Secretary of the Interior";
9. In Article VI, Section 1(m), delete "subject to review by the Secretary of the Interior";
10. In Article VI, Section 1(o), delete "subject to the approval of the Secretary of the Interior";
11. In Article VI, delete Section 2 ("Manner of Review") in its entirety and renumber the remaining two Sections of Article VI accordingly;
12. In Article VIII, Section 3, insert "if required by applicable law" immediately following "with the approval of the Secretary of the Interior";
13. In Article VIII, Section 12, insert "if required by applicable law" immediately following "with the consent of the Secretary of the Interior";
14. In Article VIII, Section 13, delete "which shall be subject to the approval of the Secretary of the Interior" from the last sentence";

15. In Article X, delete both references to “Secretary of the Interior” and replace them with “Tribal Council”; also delete “but no amendment shall become effective until it shall have been approved by the Secretary of the Interior”; and
16. In Article I, Section 3 of the By-Laws, delete “and to submit copies of such minutes to the Superintendent of the jurisdiction and also to the Commissioner of Indian Affairs.”

AMENDMENT III.

The right of members of the Quileute Tribe, who are eighteen years of age or older, to vote in Quileute Tribal elections shall not be denied or abridged on account of age. The Quileute Constitution is accordingly hereby amended as follows:

1. In Article IV, Section 1, delete “twenty-one (21)” and replace it with “eighteen (18)”; also delete “or be elected to office”; and add to the end of the section “and any member of the Quileute Indian Tribe twenty-one (21) years of age or over who meets the foregoing residency requirements shall be entitled to be elected to office therein”; and
2. In Article VII, Section 1, delete “twenty-one (21)” and replace it with “eighteen (18).”

AMENDMENT IV.

The annual general Tribal meeting and election of the Quileute Tribe shall be held on the third Friday in January and the Quileute Tribal Council shall meet on a regular basis. The Quileute Constitution and By-Laws are accordingly hereby amended as follows:

1. In Article III, Section 2, delete “last Monday in December” and replace it with “third Friday in January”;
2. In Article V, Section 1, delete “December” and replace it with “January”;
3. In Article VI, Section 1(f), delete “December” and replace it with “January”;
4. In Article V, Section 1 of the By-Laws, delete “on the last Monday of June and December” and replace it with “according to a regular schedule established by the Council”; and
5. In Article VI, Section 1 of the By-Laws, delete “last Monday in December” and replace it with “third Friday in January.”



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Northwest Regional Office

911 Northeast 11th Ave

Portland, Oregon 97232

In Reply Refer To:
Division of Tribal Government
2025 Quileute Secretarial Election

January 31, 2025

Sent via email

The Honorable Douglas Woodruff Jr., Chairman
Quileute Tribe of
the Quileute Reservation
90 Main Street, PO Box 279
La Push, Washington 98350-0279

Dear Chairman Woodruff Jr.,

On October 31, 2024, the Quileute Tribe of the Quileute Reservation enacted Resolution #2024-A-61 officially resubmitting a second request for a Secretarial Election to decide upon multiple proposed amendments referred to as “Amendments II, III and IV” to the Constitution and Bylaws of the Quileute Tribe of the Quileute Reservation to eliminate unnecessary federal oversight requirements inconsistent with modern policies of self governance.

We received the request on October 31, 2024, and upon our determination that the request was perfected per the requirements at 25 CFR § 81.6, we authorized Sharon Jackson, Tribal Government Specialist, Northwest Regional Office, to work with Stephanie Ancheta, Secretarial Election Chair, to call and conduct the Election.

Pursuant to 25 C.F.R. § 81.45, this letter is to advise you of our decision to approve the results of the Secretarial Election held for the Quileute Tribe of the Quileute Reservation.

The combined proposed changes referred to as “Proposed Amendments II, III and IV” or collectively “Proposed Amendment II” included the following proposed changes: furtherance of Quileute Tribal sovereignty, self-governance, and self-determination by removing approval of the Secretary, for the right of members of the Quileute Tribe, who are eighteen years of age or older, to vote in Quileute Tribal elections and finally, amending the annual general Tribal meeting and election of the Quileute Tribe to be held on the third Friday in January and the Quileute Tribal Council to meet on a regular basis.

The election was held on January 14, 2025. 25 CFR Parts 81.44 (a) through (f) require the Election Board Chair to transmit the following documents to the Authorizing Official: (a) the original text of the material voted on, (b) the Eligible Voters List, (c) the Registered Voters List, (d) the Secretarial Election Notice Packet, (e) any challenges to the Secretarial election results, and (f) the Certificate of Results of Election. After the mandatory five-day challenge period expired (25 CFR Part 81.43), the documents were transmitted as required. The Election Board advises there were no challenges.

Proposed Amendment II was duly adopted with at least thirty (30) percent of the 55 registered voters casting their ballot. A total of 39 ballots were cast with 34 votes in favor, 3 against, and 2 ballots were determined to be spoiled. Proposed Amendment II was reviewed and found to not be in violation of federal law. Therefore, Proposed Amendment II is now approved as

Amendment II. This decision constitutes a final agency action. 25 C.F.R. § 81.45 (b)(1) through (4).

The amended language as adopted, Certificate of Approval, and the Certification of Results of Election are enclosed herein. 25 C.F.R. § 81.45 (d)(1).

We appreciate the time and effort the Secretarial Election Board put into this election. If you have further questions, please contact Sharon Jackson, Tribal Government Specialist, at Sharon.jackson@bia.gov

Sincerely,

RUDY PEONE Digitally signed by RUDY PEONE
Date: 2025.01.31 12:54:43 -08'00'

Rudy Peone
Acting Northwest Regional Director

Enclosures

CC: Director, Bureau of Indian Affairs

Amendment
CONSTITUTION and BY-LAWS
of the
QUILEUTE TRIBE
of the
QUILEUTE RESERVATION

Amendment II

Article II—Membership

Section 2 - The Tribal Council shall have the power to promulgate ordinances governing future membership and the adoption of new members, making any necessary adjustments of property rights.

Article III—Governing Body

Section 2. This Council shall consist of five (5) members each of whom shall serve three years and until his successor is elected and installed. Two (2) members shall be elected each year on the third Friday in January except 1937 and every third year thereafter when one (1) shall be elected.

Article IV—Elections for the Tribal Council

Section 1 - Any member of the Quileute Indian Tribe eighteen (18) years of age or over who has maintained legal residence within the Quileute Reservation or within the territory of Clallam County for one year immediately preceding any election, shall be entitled to vote therein and any member of the Quileute Indian Tribe twenty-one (21) years of age or over who meets the foregoing residency requirement shall be entitled to be elected to office therein.

Article V—Vacancies and Removal from Office

Section 1 - If a Council member shall die, resign, or permanently leave the reservation, be recalled or removed from office for cause, the Council shall declare the position vacant and appoint a successor to serve until the annual general tribal meeting is held in January, at which time the general tribal meeting shall elect a successor for the unexpired term.

Article VI—Powers of the Tribal Council

Section 1(b) - To employ legal counsel for the protection and advancement of the rights of the Quileute Tribe, and its members.

Section 1(c) - To approve or veto any sale, disposition, lease or encumbrance of tribal lands, interests in lands or other tribal assets, provided that no tribal lands shall ever be sold or encumbered, or leased for a period exceeding that permitted by law, except for governmental purposes.

Section 1(e) - To manage all economic affairs and enterprises of the Quileute Tribe.

Section 1(f) - To levy and collect assessments upon members of the Quileute Tribe, or to require the performance of community labor in lieu thereof, provided that no taxes may be levied, nor community labor required, except when approved at the annual January general tribal meeting, or at a special general tribal meeting called for that purpose.

Section 1(g) - To levy and collect taxes or license fees upon non-members doing business on the reservation, to exclude from the territory of the Tribe persons not legally entitled to reside thereon, or trespassers upon the reservation, under ordinances.

Section 1(i) - To promulgate and enforce ordinances governing the conduct of members of the Quileute Tribe, and providing for the maintenance of law and order, and the administration of justice by establishing a Tribal Court, and defining its duties, powers and limitations.

Section 1(j) - To safeguard and promote the peace, safety, morals and general welfare of the Quileute Tribe by regulating the conduct of trade, and the use and disposition of property upon the reservation.

Section 1(k) - To charter subordinate organizations for economic purposes, and to regulate the activities of cooperative associations of members of the Quileute Indian Tribe by ordinances.

Section 1(m) - To provide for the appointment of guardians for minors and mental incompetents by ordinance or resolution.

Section 1(o) - To acquire, under condemnation proceedings in courts of competent jurisdiction, land or other property needed for public purposes.

Section 2 – Manner of Review [Section Removed—Balance Renumbered]

Article VII—Bill of Rights

Section 1. Suffrage.-All members of the Tribe over the age of eighteen (18) shall have the right to vote in all tribal reservation elections. The residence qualifications established by Article IV of this Constitution shall apply to all elections except elections for the amendment of this Constitution and By-laws.

Article VIII—Land

Section 3 - Leasing of tribal lands.-Tribal lands may be leased by the Tribal Council, with the approval of the Secretary of the Interior if required by applicable law, for such periods of time as are permitted by law

Section 12 - Purchase of land by tribe.-Tribal funds may be used, with the consent of the Secretary of the Interior if required by applicable law, to acquire land, under the following conditions:

Section 13 - The Council shall draw up one or more forms for standard and exchange assignments.

Article X—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 Tribal Council, provided that at least thirty (30) percent of those entitled to vote shall vote in such election.

It shall be the duty of the Tribal Council to call an election on any proposed amendment upon receipt of a petition signed by one-third (1/3) of the qualified voters, members of the Tribe.

BY-LAWS OF THE QUILEUTE TRIBE OF THE QUILEUTE RESERVATION

Article I—Duties of Officers

Section 3. Secretary of the council.-The Secretary of the Tribal Council shall conduct all tribal correspondence and shall keep an accurate record of all business transacted at Council meetings. It shall be his duty to keep minutes of regular and special Council or general tribal meetings.

Article V—Time and Place of Meetings

Section 1 - Meetings.-Regular meetings of the Tribal Council shall be held at La Push, Washington, according to a regular schedule established by the Council, and at such other times as the Council may by resolution designate.

Article VI—General Tribal Meeting

Section 1. There shall be an annual general tribal meeting open to all members of the Tribe, held at La Push, Washington, on the third Friday in January. At this meeting, elections shall be held as designated heretofore in this Constitution. The by-laws, orders and resolutions, which are subject to approval at the general tribal meeting, shall be taken up for consideration at this time.

APPROVAL

I, Rudy Peone, Acting Northwest Regional Director, Bureau of Indian Affairs, Portland, Oregon, by virtue of the authority granted to the Secretary of the Interior of the United States, by the Act of June 18, 1934, (48 Stat. 984), as amended, and delegated to me pursuant to 209 DM 8, 230 DM 1, 3 IAM 4, 4A do hereby approve the foregoing Amendment II to the Constitution and Bylaws of the Quileute Tribe of the Quileute Reservation. This amendment was adopted by a majority of the qualified voters at a Secretarial Election held on January 14, 2025, in which at least thirty (30) percent of those entitled to vote cast their ballots.

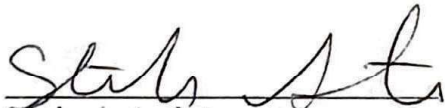
RUDY PEONE Digitally signed by RUDY PEONE
Date: 2025.02.03 14:11:45 -08'00'

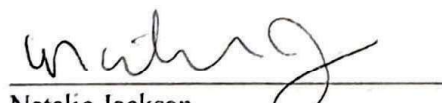
Acting Northwest Regional Director

Date

CERTIFICATION OF RESULTS OF ELECTION

Under a Secretarial election authorized by Rudy J. Peone, Acting Northwest Regional Director on 11/01/2024, the attached Proposed Amendments II, III, and IV to the Constitution and Bylaws of the Quileute Indian Tribe was submitted to the registered voters of the tribe and on 1/14/2025 was duly *adopted* by a vote of *34* for and *3* against and *2* cast ballots found spoiled in an election in which at least thirty (30) percent of the fifty five (55) registered voters cast their ballot in accordance with the Act of June 18, 1934, 48 Stat. 984, as amended (Indian Reorganization Act).


Stephanie Ancheta
Chair, Election board


Natalie Jackson
Election Board Member


Gus Wallerstedt
Election Board Member

1/14/2025
Dated

AMENDMENT V.

The jurisdiction of the Quileute Tribe shall extend to off-Reservation lands held in trust by the United States on behalf of the Quileute Tribe, except as otherwise provided by law. Article I (Territory) of the Quileute Constitution and By-Laws is accordingly hereby amended to read as follows:

Article I (Territory)—The jurisdiction of the Quileute Tribe shall include all the territory within the original confines of the Quileute Reservation as set forth by Executive Order of February 19, 1889;¹⁵ ~~and shall extend to~~ such other lands as have been or may hereafter be added thereto under any law of the United States, except as otherwise provided by law; and all off-Reservation lands held in trust by the United States on behalf of the Quileute Tribe, except as otherwise provided by law.

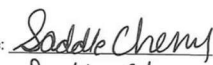
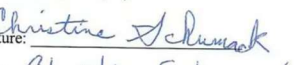
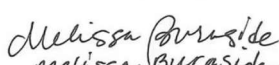
AMENDMENT VI.

Membership in the Quileute Tribe shall extend to all children born to any member of the Tribe and dual enrollment shall be prohibited. Article II (Membership), Section 1, is accordingly hereby amended to read as follows:

Article II (Membership), Section 1—The membership of the Quileute Tribe shall consist of: (a) All persons of Indian blood whose names appear on the official census roll of the Tribe as of April 1, 1935; and (b) ~~All children born to any member of the Tribe provided such member is a resident of the reservation at the time of the birth of such children, all children of one half (1/2) or more Indian blood born to any non-resident member of the Tribe, and all children of any degree of Indian blood both of whose parents are members of the Tribe; provided that no member may be enrolled in another federally recognized Indian tribe.~~

CERTIFICATION OF RESULTS

The Quileute Election Board has certified that, in a Quileute Constitutional Amendment Election called by the Quileute Tribal Council and held on September 17, 2026, by the Quileute Election Board, in accordance with the Quileute Constitution and By-Laws and the Quileute Election Board, Proposed Amendments V and VI (set forth above) were submitted to the registered voters of the Tribe and were duly adopted by a vote of 163 to 10 (in favor of Proposed Amendment V) and 151 to 20 (in favor of Proposed Amendment VI), respectively, with at least 30% of the 232 registered voters entitled to vote casting ballots, as required by Article X of the Quileute Constitution.

Signature: 	Signature: 
Print Name: <u>Gus Wapuksept</u>	Print Name: <u>Saddie Cherry</u>
Position: <u>Chairperson</u>	Position: <u>Vice Chair</u>
Date: <u>9-17-2026</u>	Date: <u>9-17-26</u>
Signature: 	Signature: 
Print Name: <u>Brenda Nelson</u>	Print Name: <u>VERNON BACK</u>
Position: <u>Bullet Box Supervisor</u>	Position: <u>ALT</u>
Date: <u>09-17-2026</u>	Date: <u>9-17-26</u>
Signature: 	Signature: 
Print Name: <u>Christine Schumack</u>	Print Name: <u>Melissa Buraside</u>
Position: _____	Position: <u>alternate</u>
Date: <u>9-17-26</u>	Date: <u>9-17-2026</u>