



A RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENTS

WHEREAS, the Comanche Nation is a federally recognized Indian Tribe with a Constitution approved and ratified by the Secretary of the Interior of the United States on January 9, 1967, to safeguard tribal rights, powers, and privileges to improve the economic, moral, educational, and health status of its members; and

WHEREAS, the Comanche Constitution, Article XI, Section 1, provides that amendments to the Constitution may be proposed by a majority vote of the Business Committee; and

WHEREAS, the Comanche Business Committee believes it is in the best interest of the Comanche Nation for Tribal Council voters to consider amending the Constitution to provide for Comanche Business Committee members to receive compensation approved by the Tribal Council (and only the compensation approved by the Tribal Council), to clarify the procedures for recalls and suspensions of elected officials, and for the other purposes stated in proposed Amendments A and B, attached hereto; and

WHEREAS, Section 505(d)(4) of the Election Ordinance provides that the Comanche Business Committee has authority to elect to hold an election to amend the constitution concurrently with any other election; and

WHEREAS, the 2025 General Election is currently scheduled for May 17, 2025; and

NOW THEREFORE BE IT RESOLVED, the Comanche Business Committee hereby proposes the amendments to the Constitution attached hereto as Amendment A and Amendment B; and

BE IT FURTHER RESOLVED, the election concerning these amendments shall be held as part of the 2025 General Election.

CERTIFICATION

The foregoing Resolution was adopted at a regular meeting of the Comanche Business Committee held on the 5th day of April, 2025, at the Comanche Nation Tribal Complex, Lawton, Oklahoma, by a majority vote of 6 for, 0 against, and 0 abstaining, a legal quorum being present.


Forrest Tandoanippah, Chairman

ATTEST:


Robert Tippeconnie, Secretary/Treasurer



AMENDMENT A

<i>Current language</i>	<i>Proposed to be amended as follows:</i>
<p>ARTICLE V — TRIBAL COUNCIL / POWERS CLAUSE</p> <p><u>Section 6.</u> Subject to the approval of the Secretary of the Interior or his authorized representative where applicable, the authority of the Comanche Tribal Council shall include and be exclusive with respect to the following:</p> <p>(a) To change, modify, alter or revoke membership rules.</p> <p>(b) To execute leases, contracts or permits for five (5) or more years with regard to property which is owned exclusively by the Comanche Nation, but this does not include any individually-owned land or personal property.</p> <p>(c) To elect tribal officers and members of the business committee and to fill vacancies which may occur pursuant to Article VII.</p> <p>(d) To authorize the expenditure of funds which may be deposited to the exclusive credit to the Comanche Nation and of funds which may be deposited to the joint credit of the Kiowa, Comanche and Apache Tribes.</p> <p>(e) To select and authorize tribal delegations to transact business on behalf of the tribe. When travel is involved, the terms of the resolution shall include the purpose of the trip and the existence of the delegation's authority.</p> <p>(f) The salary for the Chairman of the</p>	<p>ARTICLE V — TRIBAL COUNCIL / POWERS CLAUSE</p> <p><u>Section 6.</u> Subject to the approval of the Secretary of the Interior or his authorized representative where applicable, the authority of the Comanche Tribal Council shall include and be exclusive with respect to the following:</p> <p>(a) To change, modify, alter or revoke membership rules.</p> <p>(b) To execute leases, contracts or permits for five (5) or more years with regard to property which is owned exclusively by the Comanche Nation, but this does not include any individually-owned land or personal property.</p> <p>(c) To elect tribal officers and members of the Business Committee and to fill vacancies which may occur pursuant to Article VII.</p> <p>(d) To authorize the expenditure of funds which may be deposited to the exclusive credit to the Comanche Nation and of funds which may be deposited to the joint credit of the Kiowa, Comanche and Apache Tribes.</p> <p>(e) To select and authorize tribal delegations to transact business on behalf of the tribe. When travel is involved, the terms of the resolution shall include the purpose of the trip and the existence of the delegation's authority.</p> <p>(f) The salaryies for the Chairman of the Business Committee, <i>other members of the</i></p>

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Business Committee shall be established by the Tribal Council by the adoption of an annual tribal operating budget. Salary for all other members of the business committee shall be two hundred and fifty dollars (\$250) per month.

* * *

ARTICLE VI – BUSINESS COMMITTEE

Section 1. The Comanche Business Committee shall be composed of seven (7) members of the Comanche Nation who are at least twenty-one (21) years of age, and be elected as provided in Article VII of this constitution.

Section 2. The business committee shall meet on the first Saturday of each month of each year at 10:00 a.m. In case of a legal holiday, the meeting will be held on the following Saturday. 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 special meetings of the business committee shall be given by the tribal secretary-treasurer by mailing a letter or postal card to each member of

*Comanche Business Committee, and other officials elected by the Tribal Council shall be established by the Tribal Council by the adoption of an annual tribal operating budget. **Effective on the first day of the first fiscal year following the ratification of the following clause, the members of the Business Committee and other officials elected by the Tribal Council shall receive no other remuneration from the Comanche Nation or its boards, commissions, sub-committees, subsidiaries, or other tribally-owned entities other than the salaries approved by the Tribal Council, health insurance, retirement and other employee benefits, and reasonable expense reimbursements.***

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Section 2. The Business Committee shall meet on the first Saturday of each month of each year at 10:00 a.m. In case of a legal holiday, the meeting will be held on the following Saturday. Special meetings may be called by the tribal chairman at his discretion; provided that such special meetings do not exceed a total of **eighteen (18)** meetings per calendar year.

Section 3. Notice of all special meetings of the Business Committee shall be given by the tribal Secretary-Treasurer **via electronic communication** to each member of the business committee at least **forty-eight (48)**

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the business committee at least ten days (10) prior to the meeting date, setting forth the date, time, place, and purpose in general terms.

hours prior to the meeting date, setting forth the date, time, place, and purpose in general terms.



AMENDMENT B

<i>Current language</i>	<i>Proposed to be amended as follows:</i>
<p>ARTICLE V — TRIBAL COUNCIL / POWERS CLAUSE</p> <p><u>Section 1.</u> Pursuant to ARTICLE IV, Section 1. The supreme governing body of this organization shall be the Comanche Tribal Council. The Tribal Council shall consist of all duly enrolled members of the Comanche Nation who are eighteen (18) years of age or older. The Tribal Council will affirm and exercise its Supreme Powers Clause by the Annual Election following the Annual Meeting or Special Election following a Special Meeting, excluding Article VIII.</p> <p>* * *</p> <p>ARTICLE VIII – VACANCIES AND REMOVAL FROM OFFICE</p> <p><u>Section 1.</u> 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 to be held within twenty (20) days 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 position shall remain vacant until the next election when provisions shall be made to fill the vacancy.</p> <p><u>Section 2.</u> The Comanche Tribal Council may at a meeting duly called specifically for the purpose, recall any officer or</p>	<p>ARTICLE V — TRIBAL COUNCIL / POWERS CLAUSE</p> <p><u>Section 1.</u> Pursuant to ARTICLE IV, Section 1, the supreme governing body of this organization shall be the Comanche Tribal Council. The Tribal Council shall consist of all duly enrolled members of the Comanche Nation who are eighteen (18) years of age or older. The Tribal Council will <i>exercise its powers through</i> the Annual Election following the Annual Meeting or Special Election following a Special Meeting <i>or a Special or Recall Election under Article VIII.</i></p> <p>* * *</p> <p>ARTICLE VIII – VACANCIES AND REMOVAL FROM OFFICE</p> <p><u>Section 1.</u> If a Committeeman or Officer <i>or other official elected or hired by the Tribal Council</i> of the tribe shall die or resign, be removed or recalled from office, his office shall be deemed vacant <i>and there shall be a Special Election held pursuant to the Election Ordinance. Whoever wishes to run for office in a Special Election, shall nominate themselves as set forth in the Election Ordinance. The Special Election shall be complete within sixty (60) days of the vacancy.</i></p> <p><u>Section 2.</u> <i>Subject to the requirements of this section, a Committeeman, Officer, or other official elected or hired by the Tribal</i></p>

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committeemen for neglect of duty or conduct that has brought disrepute upon the tribe. Such a meeting shall not be unless a petition signed by two hundred and fifty (250) eligible voters of the Comanche Nation requesting recall is submitted to the tribal chairman. The Tribal Council shall consist of all members of the Comanche Nation who are eighteen (18) years of age or older. The recall of only one officer or committeeman may be initiated per meeting called for this purpose. The petitioner's representative shall provide proper evidence or receipt by the accused, the tribal chairman shall call an official meeting of the Comanche Tribal Council within thirty (30) days for the purpose of hearing and disposition of the case, such meeting can be established within the timeframe so noted in Section 2(a).

(a) Following submission of an acceptable petition for a recall Tribal Council meeting, the tribal chairman shall require that a signed Bill of Particulars setting forth the elements of neglect or misconduct be submitted to the accused. The petitioner's representative shall provide proper evidence or receipt by the accused, the tribal chairman shall call an official meeting of the Comanche Tribal Council within thirty (30) days for the purpose of hearing and disposition of the case.

b) Acceptable recall petitions must adhere to the following standards:

1. The standards of "one and only one" recall taken on a committeeman within a 120 day timeframe; all recalls must be of a grievous nature such as mismanagement of funds, not by error, but by intent, actual manipulation of documents, coercing of personnel to perform such illegal acts, and verified not by hearsay, but with actual documents; or by intentionally misleading

Council may be removed from office via a Recall Election.

(a) A Recall Election shall be initiated by a Recall Petition. The number of signatures required shall be either (i) five (5) or more members of the Comanche Business Committee or (ii) two hundred and fifty (250) or more members of the Tribal Council. Once the signatures on a Recall Petition are verified by the Enrollment Office, the accused committeeman, officer, or other official shall be suspended from office until the conclusion of the Recall Election or dismissal of the Bill of Particulars.

(b) A Recall Petition must include a Bill of Particulars alleging, in writing, misconduct or neglect of duty as defined in the Election Ordinance.

(c) Within the time limits set forth in the Election Ordinance, the Tribal Court (or other independent tribunal designated by the Tribal Council) shall convene a hearing on the Bill of Particulars, the accused person shall be given an opportunity to respond to the Bill of Particulars, and the Tribal Court or tribunal shall determine whether misconduct or neglect of duty has been proven by clear and convincing evidence. If misconduct or neglect of duty is proven by clear and convincing evidence, a Recall Election shall be held. If misconduct or neglect of duty is not proven by clear and convincing evidence, the Bill of Particulars shall be dismissed.

(d) Prior to the Recall Election, the Bill of Particulars shall be published as set forth in the Election Ordinance. The accused committeeman, officer, or official shall be given the opportunity to respond to the Bill

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committeemen, committee appointees or community at large to commit acts which endanger the future appropriations of funds, notwithstanding those funds be tribal, contractual or earned revenue from the various enterprises of the Nation;

2. Include viable documentation that a crime or act is grievous enough to endanger the Nation or its entities and was intentionally performed by the accused;

3. The particulars cannot be any subject matter not within the operational control of the accused, such as acts of nature, economic misfortune due to a national crisis, or mismanagement of program administrators (federal, state, or other contractual entity actions not within the scope of the accused), nor prior committee actions which were approved by a majority of the prior business committee members;

4. The presenters of the Bill of Particulars must verify by more than 12 witnesses that they were harmed intentionally by the actions of the accused, such actions if found not viable, or true to the nature presented, such recall will be declared null and void, and presenters of the particulars will not be allowed to take a recall petition on any other committeeman for a period of 18 months from the date the petition is filed. Their signature to any other petition will nullify such signed recall petition.

5. Pursuant to Tribal Council authority, a petition for recall must be accompanied with a cashier's check or bank draft of \$500.00, non-refundable, to the Enrollment Director or other designated entity so named by the Tribal Council;

c) No recall meeting is allowed within 45 days, prior to or after an election period is declared;

At no time will more than 2 recalls against more than 2 committee members (only one

of Particulars, and the response shall be published along with the Bill of Particulars.

(e) If a Recall Election is initiated 45 days prior to the Annual Meeting, it may be considered as part of the General Election subject to the requirements of the Election Ordinance.

(f) In a Recall Election, a supermajority of 60% or more of votes casts is required for a committeeman, officer, or official to be removed from office.

(g) If an attempt to recall fails to remove a committeeman, officer, or official—either due to dismissal under subsection (c) or failure to obtain a supermajority under subsection (f)—then no other recall may be initiated based on the same conduct alleged in the Bill of Particulars.

(h) Notwithstanding the foregoing, at no time shall there be more than two (2) vacancies on the Comanche Business Committee. In the event that there are two vacancies, no Recall Election shall be permitted until the vacancies are filled pursuant to Section 1 of this Article.

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recall per person) be allowed within a 6-month period, any such filing by any member of the Nation will disqualify such person from initiating another recall for 18 months. (The petition will be declared null and void by the Enrollment Director).

1. No citizen of the Comanche Nation may take a recall against any committee member within 9 months of so doing. (A member can only take out one recall on a committee member once every 9 months.)

2. Subcommittee members are not subject to the recall ordinance.

d) The format for the Tribal Council meeting shall be established as follows:

1. Presentation of the Bill of Particulars against the accused by a representative of the accusers: This presentation shall be limited strictly to those specifics included in the Bill of Particulars as presented to the accused. See Section 2(a).

2. The accused shall be given adequate opportunity to answer any and all charges of which he or she is accused. The accused may personally present or may choose to utilize the services of another to present this response.

3. The accused while having the opportunity to rebuff the particulars, if interrupted at any time during her/his presentation, such charges shall immediately be dismissed, without chairman's recognition, and no future charges of the same nature can be brought forth against the accused for the remainder of their term in office.

e) Upon completion of these two presentations no further discussion shall be allowed and voting shall proceed immediately in a manner prescribed by this constitution.

f) A two thirds (2/3) majority vote of those voting of the Tribal Council meeting

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shall be sufficient to effect recall providing a quorum is present. Should a quorum not be present the charges against the accused shall be declared null and void and no further action shall be taken on this petition, nor shall the same charges be allowed within the accused officer's term of office.

Section 3. Any officer or committeeman who shall be found guilty by any State or Federal Court of a felony, a grievous act involving harm or threatening harm to any other person, within or without the reservation bounds of the Comanche Nation, a misdemeanor involving dishonesty, or of accepting a bribe shall forfeit his office and such office shall immediately become vacant and be filled in accordance with Section 1 of this Article.

Section 3. Any officer, committeeman, *or other official elected by the Tribal Council* who *is convicted of any felony, a misdemeanor involving dishonesty, bribery, or embezzlement* shall forfeit his office and such office shall immediately become vacant and be filled in accordance with Section 1 of this Article.