

**TRIBAL COUNCIL PROPOSES AMENDMENTS TO THE CHOCTAW NATION
OF OKLAHOMA CONSTITUTION TO BE CONSIDERED FOR ADOPTION
BY A VOTE OF QUALIFIED TRIBAL MEMBERS**

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL

TO PROPOSE amendments to the Constitution of the Choctaw Nation of Oklahoma.

WHEREAS, the Constitution of the Choctaw Nation of Oklahoma (the "Constitution") provides in Article XVIII, § 1 that amendments to the Constitution may be proposed by the Tribal Council and shall require at least eight (8) affirmative votes; and

WHEREAS, if Tribal Council approves the amendments to the Constitution, the next step will be to hold an election and submit these proposed amendments to a vote of qualified voters. The Constitution provides in Article XVIII § 2 that adoption by not less than fifty-one (51%) of the total number of qualified voters of the Nation voting in the last Chief's election shall be required to amend the Constitution. Amendments shall be effective upon approval by the Secretary of the Interior;

WHEREAS, the Governance Committee established the 2024 Sovereignty Sub-Committee, an ad hoc committee tasked with reviewing the Constitution and looking for ways to strengthen the Nation's sovereignty through constitutional amendments pursuant to Article XVIII, § 1. The overall goal was to focus on issues impacting sovereignty;

WHEREAS, the 2024 Sovereignty Sub-Committee has recommended five (5) constitutional amendments, which may be summarized as follows:

1. Amend the description of the boundaries of the Choctaw Nation Reservation in Article I, § 2 to replace the physical description, which was adopted from treaties with the federal government, with a broader and more general description.
2. Amend Article IV, § 1 and Article XVII to remove the reference to the State of Oklahoma and the federal government, as the Nation is a separate and distinct sovereign which has the right to make its own laws and be governed by them.
3. Removing the description of the 12 Districts of the Nation, as they are no longer accurate and have since been amended.
4. Correct the spelling of Tvshka Homma in Article VIII, § 5.
5. Remove the requirement for approval of constitutional amendments by the Secretary of Interior in Article XVIII, § 2, which is no longer required.

WHEREAS, upon the requisite approval of this Council Bill, the process of adoption or rejection of the amendment by the qualified voters of the Choctaw Nation may commence in accordance with Article XVIII, § 2.

THEREFORE, BE IT APPROVED by the Tribal Council that this Bill, in accordance with Article XVIII, Section 1 of the Constitution be cited as approval of the following proposed amendments to the Constitution:

Section 1. The Secretary of the Election Board shall refer to the People for their approval or rejection, in the manner prescribed by law, the following amendment to Article I, Section 2 of the Choctaw Constitution of 1983 to read as follows:

Section 2. Where in this Constitution the term "Choctaw Nation" or "the Nation" is used to denote a geographical area, it shall mean all lands within the exterior boundaries of The Choctaw Nation Reservation including those lands within the original boundaries of The Choctaw Nation Reservation as determined by federal statutes and treaties and to such other lands as may hereafter be acquired by or for The Choctaw Nation the following areas in the State of Oklahoma, to-wit: ~~Beginning at a point on the Arkansas River, 100 paces east of Old Fort Smith, where the western boundary line of the State of Arkansas crosses the said River, and running thence due south to Red River; thence up Red River to the mouth of Island Bayou, where it empties into Red River, about 26 miles on a straight line below the mouth of False Washita; thence running a northwesterly course along the main channel of said Bayou to the junction of the three prongs of said Bayou, nearest the dividing ridge between Washita and Low Blue Rivers, as laid down on Capt. R. L. Hunter's map; thence northerly along the eastern prong of Island Bayou to its source; thence due north to the Canadian River; thence down said River to its junction with the Arkansas River; thence down said River to the place of beginning as set forth in the Treaty of June 22, 1855 (11 Stat. 611).~~

Section 2. The Ballot Title for the amendment to Article I, Section 2 of the Choctaw Constitution shall be in the following form:

BALLOT TITLE

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This proposal amends Article I, Section 2 of the Choctaw Constitution. It removes the description of the boundaries of the Choctaw Nation Reservation. Those boundaries are based on a map that is not available. The proposed description of the boundaries is clearer and more readable. It is based on federal statutes and treaties.

Section 3. The Secretary of the Election Board shall refer to the People for their approval or rejection, in the manner prescribed by law, the following amendments to Article IV, Section 1 and Article XVII of the Choctaw Constitution of 1983, each to read as follows:

Article IV, Section 1. Nothing in this Constitution shall be interpreted in a way which would diminish the rights and privileges that tribal members have as citizens of this Nation, ~~the State of Oklahoma, the United States of America or under any Act of the Congress of the United States.~~

Article XVII. All elected or appointed officials shall take the following oath:

"I, _____, do solemnly swear (or affirm) that I will support, obey and defend the Constitutions of the Choctaw Nation of Oklahoma, ~~the State of Oklahoma, and the United States of America~~ and will discharge the duties of my office with fidelity.

I further swear (or affirm) that I will devote my best efforts toward the preservation of the heritage and tradition of the Choctaw Nation in order that all mankind may better understand, evaluate, and appreciate the history of its glorious past and enjoy its brilliant future, so help me God."

Section 4. The Ballot Title for the amendment proposed to Article IV, Section 1 of the Choctaw Constitution shall be in the following form:

BALLOT TITLE

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This proposal amends Article IV, Section 1 of the Choctaw Constitution by removing the following language: "the State of Oklahoma, the United States of America or under any Act of the Congress of the United States." Removing this language strengthens the Nation's sovereignty by enabling the Choctaw Nation to be ruled by its own laws. This proposal also amends

the Article XVII Oath of Office by removing "the State of Oklahoma, and the United States of America" from the Oath of Office to be uniform and further strengthen the Nation's ability to make, amend, and be governed by its own laws.

Section 5. The Secretary of the Election Board shall refer to the People for their approval or rejection, in the manner prescribed by law, the following amendment to Article VIII, Section 2 of the Choctaw Constitution of 1983 to read as follows:

Section 2. The Tribal Council shall consist of twelve (12) members, one (1) each to be elected from ~~that part of the following~~ twelve (12) districts which lie within the boundaries set forth in Article I, Section 2 of this Constitution, ~~provided, that the~~ The Tribal Council is responsible for determining the area embraced within each district and shall have the responsibility for reapportionment based on population when necessary.

DISTRICT

NUMBER — AREA EMBRACED WITHIN EACH DISTRICT

- 1 — ~~McCurtain County south of the north line of Township Six (6) South as established by the United States Geological Survey.~~
- 2 — ~~McCurtain County north of the north line of Township Six (6) South as established by the United States Geological Survey.~~
- 3 — ~~LeFlore County south of the north line of Township Four (4) North as established by the United States Geological Survey.~~
- 4 — ~~LeFlore County north of the north line of Township Four (4) North as established by the United States Geological Survey.~~
- 5 — ~~Haskell County~~
- 6 — ~~Latimer County~~
- 7 — ~~Pushmataha County~~
- 8 — ~~Choctaw County~~
- 9 — ~~Bryan County~~
- 10 — ~~Atoka County~~
- 11 — ~~Pittsburg County~~
- 12 — ~~Coal County and that part of Hughes County South of the Canadian River.~~

Section 6. The Ballot Title for the Constitutional amendment proposed in Article VIII, Section 2 shall be in the following form:

BALLOT TITLE

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This proposal amends Article VIII, Section 2 of the Choctaw Constitution by removing the individual land descriptions for the twelve (12) Districts within the Choctaw Nation Reservation boundaries. The current description of the twelve (12) Districts and land they embrace is no longer accurate due to reapportionment by Tribal Council, which is within Tribal Council's power. Removing the individual land descriptions for each District and providing the Tribal Council's general authority to determine the area each District embraces by making these amendments makes the Choctaw Constitution more accurate and clearer.

Section 7. The Secretary of the Election Board shall refer to the People for their approval or rejection, in the manner prescribed by law, the following amendment to Article VIII, Section 5 of the Choctaw Constitution of 1983 to read as follows:

Section 5. At the hour of twelve (12) noon on October 1, 1983, following the ratification of this Constitution, the successful candidates for Tribal Council shall meet with the elected Chief and the Choctaw Election Commission at the Capital at ~~Tuskahoma~~ Tvshka Homma at which time and place the Chairperson/Arbitrator of the Commission will place twelve (12) slips of paper in a receptacle, six (6) of which will have the number four (4) on them and six (6) will have the number two (2) written on them. Each slip will be folded so that the number thereon cannot be seen. In the presence of each other and the elected Chief, each successful candidate shall draw one (1) of the

slips from the receptable and the number on the slip each of the successful candidates draws will be the number of years he shall serve during the first term.

Section 8. The Ballot Title for the Constitutional amendment proposed in Article VIII, Section 5 shall be in the following form:

BALLOT TITLE

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This proposal amends Article VIII, Section 5 of the Choctaw Constitution by changing "Tuskahoma" to its correct spelling of "Tvshka Homma." This amendment exercises sovereignty and protects and promotes Choctaw Culture by correctly referring to the Capitol of the Choctaw Nation by its Choctaw name.

Section 9. The Secretary of the Election Board shall refer to the People for their approval or rejection, in the manner prescribed by law, the following amendment to XVIII, Section 2 of the Choctaw Constitution of 1983 to read as follows:

Section 2. Adoption by not less than fifty-one percent (51%) of the total number of qualified voters of the Nation voting in the last Chief's election shall be required to amend this Constitution.

~~Amendments shall be effective upon approval by the Secretary of the Interior.~~

Section 10. The Ballot Title for the Constitutional amendment proposed in XVIII, Section 2 shall be in the following form:

BALLOT TITLE

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This proposal amends Article XVIII, Section 2 of the Choctaw Constitution by removing the requirement of approval by the Secretary of the Interior for Amendments to the Choctaw Constitution. Removing this Secretary of the Interior approval requirement from the Choctaw Constitution enhances the Nation's sovereignty by removing federal oversight and enables the Choctaw Nation to amend the Choctaw Constitution without federal interference or involvement.

Section 11. Immediately on passage of this Council Bill, the Speaker of the Tribal Council shall file one copy with the Secretary of the Tribal Council, one copy with the General Counsel of the Choctaw Nation of Oklahoma, and one copy with the Secretary of the Election Board.

Section 12. The Secretary of the Election Board shall place the Proposition contained in this Act on a ballot pursuant to subsection A of Section 13 of the Constitutional Amendment Procedures Code.


Section 13. The election shall be conducted pursuant to subsection B of Section 13 of the Constitutional Amendment Procedures Code.

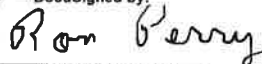
BE IT FURTHER APPROVED by the Tribal Council that this Bill be cited as approval and an election shall be held and the proposed amendments in this Bill be submitted to qualified voters of the Nation in accordance with Article XVIII, § 2 of the Constitution. If adopted, the amendments approved by the qualified voters shall be effective upon approval of the Secretary of the Interior.


CERTIFICATION

I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that twelve (12) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tvshka Homma, Oklahoma on January 11, 2025. I further certify that the foregoing Council Bill CB-27-25~~9~~ was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0) negative votes, and zero (0) abstaining.

CB-27-25


Thomas Williston, Speaker
Choctaw Nation Tribal Council

DocuSigned by:

Ronald Perry, Secretary
Choctaw Nation Tribal Council


Gary Battos, Chief
Choctaw Nation of Oklahoma

Date 1-15-25