Kansas Delaware Tribe of Indians

Constitution

Approved at General Council

June 6, 2026

Constitution

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Preamble

We, members of the Delaware Nation, also known as the Lenni Lenape, in order to establish a more perfect form of government, preserve our heritage and power of self-government, provide for the good and welfare of our people and to secure our rights and privileges as members, do hereby establish this Constitution for the Kansas Delaware Tribe of Indians.

The Bylaws of the Kansas Delaware Tribe is the controlling document for the implementation of this Constitution.

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Article 1 – Supreme Authority

The supreme governing authority shall rest with the Kansas Delaware Tribal members, eighteen (18) years of age or older who are registered to vote. Adult voting membership shall mean the entire voting membership of the Kansas Delaware Tribe of Indians in accordance with Article VI, Section 5.

Article II – Membership

Section 1. The membership of the Kansas Delaware Tribe shall consist of the descendants of the Delaware Indians who elected, pursuant to the Treaty with the Delaware of July 4, 1866, to remain in Kansas rather than to be removed to the Cherokee Nation, pursuant to said treaty, as shown by the registry prepared pursuant to such treaty.

Section 2. The Kansas Delaware Tribal Council shall have the power to enact ordinances, to establish rules and regulations governing membership, adoption, procedures for enrollment, and preparation and approval of an official membership roll. Provided: Nothing contained herein shall be construed to invalidate the presently existing membership roll or the membership of those persons enrolled prior to the effective date of this Constitution.

Article III – Rights of Members

Section 1. The rights of the members of the Kansas Delaware Tribe to hold religious beliefs and write freely, and the right of the members to assemble and petition their government, shall not be disturbed.

Section 2. The Tribal Council shall not deprive any person of their liberty or property without due process of law, nor deny any member the equal protection of the laws.

Article IV – Governing Body

Section 1. There is created by this Constitution a governing body which shall be known as the Kansas Delaware Tribal Council.

The Tribal Council shall consist of seven (7) members, a Chief, Assistant Chief, Secretary, Treasurer, and three (3) members, all of whom must be eligible voters within the Kansas Delaware Tribe.

Section 2. Any duty elected Tribal Council Member shall not hold any other elected position within the Kansas Delaware Tribe of Indians.

Article V - Powers of the Tribal Council

The Kansas Delaware Tribal Council shall have the following powers:

1. To represent the Kansas Delaware Tribe and act in all matters that concern the general welfare of the tribe, and to make decisions not inconsistent with or contrary to this Constitution or the Constitution and laws of the United States of America.
2. To negotiate and make contracts with Federal, State, and Local Government and individuals, firms or companies.
3. To employ legal counsel, the choice of counsel and fixing fees.
4. To cultivate, promote and encourage the culture and crafts of the Lenne Lenape.
5. To administer charity.
6. To negotiate permits and leases, for business, home sites and other purposes, and generally to provide for the proper use and development of any Tribal property.
7. To appropriate Tribal funds for Tribal purposes.
8. To manage and control Tribal property and other projects and programs of the Kansas Delaware Tribe, including, but not limited to, education programs and appointment of planning, communication, technology and cultural committees.
9. To establish rules to regulate its own proceedings and to appoint subordinate committees.

10. To interact, when appropriate, with the Bureau of Indian Affairs.

Article VI – Code of Ethics

The Kansas Delaware Tribal Council shall:

1. Act honestly, truthfully and with integrity in all transactions and dealings.
2. Avoid conflicts of interest and appropriately handle actual or apparent conflicts of interest in all relationships.
3. Treat all Tribal members fairly.
4. Treat every individual with dignity and respect.
5. Be a good corporate citizen and comply with both the spirit and letter of the law.
6. Act responsibly toward the communities in which we work and for the benefit of the communities that we serve.
7. Be responsible, transparent and accountable for all of our actions.

Article VII – Elections

Section 1. Elections shall be held every second year the first Saturday of June. The Chief, Assistant Chief, Secretary and Treasurer so elected shall hold office for four (4) years and the three (3) Council members who receive the highest number of votes cast shall hold office for two (2) years.

Section 2. Members elected to the Tribal Council, shall take office at the first meeting after their election. At that meeting, they shall

take an oath administered by the Chief. In the absence of the Chief, the Assistant Chief, or Chairman Pro Tem elected by a majority vote of the Tribal Council.

Section 3. Candidates seeking election to the position of Chief, Assistant Chief, Secretary, and Treasurer or Tribal Council, shall file with the Tribal Council.

Section 4. Elections shall be by secret ballot and conducted both electronically and by paper ballot.

Section 5. All Kansas Delaware Tribe members, eighteen (18) years of age or older, who are registered to vote in all elections and sign petitions.

Section 6. Public notice of the date of election shall be given at least thirty (30) days prior to the date of elections.

Article VIII – Vacancy

Any vacancy which may occur on the Tribal Council, because of death or resignation, shall be filled by majority vote of the remaining members. Vacancies occurring because of removal or recall shall be filled by a special election to be held within forty-five (45) days.

Article IX – Initiative Petitions

The members of the Kansas Delaware Tribe reserve unto themselves the power to initiate and pass resolutions and ordinance, and to change or modify resolutions and ordinances enacted by the Tribal Council, according to rules and procedures set forth in the Bylaws.

Article X – Amendments

Section 1. This Constitution may be amended by 2/3 majority of votes cast by eligible voting membership.

Section 2. It shall be the duty of the Chief to call for an election for the purpose of amending the Constitution and Bylaws when:

(a) Petition signed by at least one hundred (100) registered voters, setting forth the full text of the proposed amendments, have been filed with the Tribal Council, Secretary, or

(b) The Tribal Council, passes a resolution by a majority vote, call for an amendment to the Constitution.

Article XI – Recall / Removal from Office

Section 1. If any elected member of the Kansas Delaware Tribal government is convicted of a felony or crime which involves dishonesty, their office shall be considered forfeited upon a majority vote of the Tribal Council by resolution, or by 2/3 votes cast by eligible voting membership.

Section 2. Any member of the Kansas Delaware Tribal Council not in attendance of two consecutive, unexcused absences, at the regularly scheduled Council meeting, shall forfeit their office.

Article XII – Annual Membership Meeting

Section 1. A General Council meeting of the adult membership shall be held on the first Saturday of June, at which time the Chief or their designated spokesperson shall make a "State of the Tribe" address. Notice of this annual membership meeting shall be given by the Chief, not less than thirty (30) days preceding the meeting. The General Council meeting shall be presided by the Chief and Tribal Council in accordance with Roberts Rules of Order. Resolutions or motions that rescind or affect previously adopted resolutions or ordinances passed by the Tribal Council must be approved by 2/3 of votes cast by eligible voting membership in person or electronically. Resolutions passed at the annual General Council meeting must be approved by 2/3 of votes cast by eligible voting membership in person or electronically.

Section 2. Committee Reports and other reports regarding the operation of the Kansas Delaware Tribe programs and projects shall be presented as well as other business properly brought before the membership.

Section 3. A quorum of not less than 50 eligible voting members must be present in person or electronically to conduct and/or vote on any business.

Article XIII – Ratification

This Constitution shall become effective upon date of ratification, when ratified by:

Those eligible to vote in Kansas Delaware Tribal elections as defined by the Bylaws of the Kansas Delaware Tribe of Indians.

1. Those persons whose lineal ancestor's name appears on Delaware Indians who elected, pursuant to the Treaty with the Delaware of July 4, 1866, to remain in Kansas rather than to be removed to the Cherokee Nation, and
2. Who are eighteen (18) years of age or older and are registered Tribal members.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the Kansas Delaware Tribe of Indians to be affixed. This Constitution of the Kansas Delaware Tribe of Indians was passed and certified in accordance with this document this 6th day of June, 2026.

Chief Kansas Delaware Tribe of Indians _____

Secretary Kansas Delaware Tribe of Indians _____