



NATCHITOCHESES TRIBE OF LOUISIANA



CONSTITUTION

Preamble

We, the people known as the Natchitoches Tribe of Louisiana (NTL), in the presence of almighty God and pursuant to the inherent NTL sovereignty possessed by our People from time immemorial, and recognized by the government of France from their first contact on North American soil with NTL, do hereby ordain and establish this Constitution in order to affect fair and well-ordered government, provide for the welfare of our members' prosperity, and ensure protection of our ancestral heritage, cultural traditions and political integrity to NTL members.

ARTICLE I

Name and Geographical Area

- 1.01 Natchitoches Tribe of Louisiana (NTL), the name of this established body, shall consist of all persons who are established, pursuant to Article III herein, as NTL members.
- 1.02 Jurisdiction of NTL shall extend to:
- A. Lands, water and other resources as may be hereafter acquired by NTL whether within the state of Louisiana or otherwise, including lands which, through ownership by NTL, are taken in trust by the Secretary of the Interior for the beneficial use of NTL and its members.
 - B. All NTL members, wherever domiciled, to the fullest extent permitted by applicable laws of the United States of America.
- 1.03 This Constitution shall apply to lands owned by NTL, except provisions herein contained, shall be without effect with regard to the jurisdictional powers of state government in relation to NTL land not placed in trust with the Secretary of the Interior.

ARTICLE II

Effect and Purpose

- 2.01 This Constitution shall be the supreme law of NTL. No law effected subsequent to the ratification of this document pursuant to Article XV, below, shall be valid, except to the extent such law is consistent herein or with an amendment hereto effected pursuant to the provisions of Article XIII, below.
- 2.02 This Constitution assures the preservation of all existing and future powers of NTL and rights of its members arising from any source whatever, to establish and preserve the authority of NTL members to manage affairs of NTL and to protect and promote NTL's best interests.



- 2.03 This Constitution preserves/re-establishes NTL ancestral heritage and cultural traditions as well as provides educational services to NTL members and public citizens regarding the historical significance of the Natchitoches Indians throughout North American history.

ARTICLE III

Membership of NTL

- 3.01 Members of NTL shall be any person who possesses at least one drop of Natchitoches Indian blood with at least one of their ancestors having been the slave of an Euro-American, as well as:
- A. At the time of acceptance of applicant, applicant is a citizen of the United States of America or a descendant of a citizen of the United States of America.
 - B. Applicant affirmatively establishes to the satisfaction of the NTL Council that he/she is eligible for enrollment pursuant to all sections of Article III of this document.
- 3.02 An individual's degree of Indian blood of any federally-recognized American Indian Tribe may be included in his or her total degree of Indian blood, provided that no member of NTL may be an enrolled member of any other federally-recognized American Indian Tribe.
- 3.03 A parent or legal guardian may file an application for membership on behalf of a person under eighteen (18) years of age.
- 3.04 This constitution may be amended by NTL council pursuant to provisions of Article XIII, below, to change the blood quantum required for membership in NTL, with the exception of an election required by the Secretary of the Interior for this purpose.
- 3.05 The NTL Council shall have sole authority to determine eligibility for enrollment of a member of NTL. No decree of any court purporting to determine membership in NTL, paternity or degree of Indian blood, shall be recognized by NTL as determinative of membership in NTL. Although, such a ruling shall be considered by the NTL Council when application is made by or on behalf of an applicant for NTL membership.
- 3.06 NTL consists of descendants of numerous tribes, races and cultures. Due to this fact, racism will not be tolerated in any form or fashion within tribal membership.

ARTICLE IV

Voting

- 4.01 All NTL members have the right to vote in elections of NTL, with the exception of:
- A. Members under eighteen (18) years of age.
 - B. Members who are found to be mentally challenged by the NTL Council.
 - C. Members who are convicted felons.



- D. Members exhibiting destructive behaviors to themselves or others and are required by NTL Council to be screened for illegal drug use and/or psychiatric evaluation. If positive results occur from these screenings, members must undergo required treatment by qualified physicians or rehabilitation facilities at their own expense. If such members refuse screening and/or treatment, voting privileges will be denied. If members participate in the required screenings and/or completes treatment requirements, voting rights will be reinstated.
- 4.02 Upon approval of this Constitution by the Secretary of the Interior, all elections will be made by membership mail-in ballots.
- 4.03 NTL Council representatives shall be elected by voting members of each distinct family unit. The Council Chairman NTL Primary Chief (NTL-PC) and Vice-Chairman NTL Vice-Chief (NTL-VC) will be appointed by the NTL Council. All elected or appointed officials must be voting members of NTL.
- 4.04 NTL elections and appointments will be conducted by secret ballot. Voting results shall be certified by an independent organization.
- 4.05 All election results and appointments will be published within ninety (90) days of the closing of each election or appointment.
- 4.06 NTL Council shall establish a NTL Election Board and appoint voting members responsible for:
- A. Ensuring fairness and uniformity in NTL elections.
 - B. Giving advance notice of elections and reasons for elections.
 - C. Publishing of results of elections and appointments.
 - D. Certification of candidates for NTL office, both elected and appointed.
 - E. Appointment of independent organizations for the mediation and disposition of election disputes.
 - F. Maintenance of a list of qualified voters.

ARTICLE V

Rights of the People

- 5.01 This Constitution shall have no effect with regard to rights, protections and benefits in which NTL members may otherwise be entitled by the Constitution of the United States of America.
- 5.02 There shall be no official religion of NTL and no requirement concerning religious affiliations shall be established by NTL. The right of NTL members to freely exercise their religious beliefs shall not be abridged by this Constitution or any action by the NTL-PC or NTL Council.

ARTICLE VI

Powers and Organization of the NTL Government

- 6.01 Subject to any and all enactments of laws of the United States of America and upon approval of this Constitution by the Secretary of the Interior, the NTL government shall be comprised of two (2) branches:
- A. Executive division, comprised of the offices of NTL-PC and NTL-VC,



B. Legislative division comprised of the NTL Council.

- 6.02 Upon approval by a majority of NTL Council representatives, NTL reserves the power to establish a judicial division at any time subsequent to the effectuation of this Constitution.
- 6.03 NTL Chairman, Vice-Chairman, NTL Council representatives, NTL Judges, Secretary and Treasurer shall be deemed officers of NTL.
- 6.04 Financial agreements into which the NTL Council enters shall be binding against NTL throughout the term of repayment of any lawful debt of NTL.

ARTICLE VII

Executive Branch

- 7.01 NTL-PC shall serve as Chief Executive of NTL. NTL-PC shall be charged with the binding responsibility for execution of all official papers of NTL, implementation of laws finally effected by NTL Council and conduct matters of the Executive Branch in a manner consistent with laws of the United States of America and of NTL.
- 7.02 NTL-VC of NTL shall assist the NTL-PC in the execution of matters charged to the responsibility of Executive Branch and shall act as NTL-PC in the absence of the NTL-PC, the NTL-VC shall be bound by the provisions of Section 1 of this Article.
- 7.03 Any voting member of NTL who is at least forty (40) years of age, and at least one-sixteenth (1/16) degree American Indian blood and resides within the United States of America shall be deemed eligible to hold the office of NTL-PC or NTL-VC of NTL.
- 7.04 The NTL officers serving as NTL-PC or NTL-VC on the date on which this Constitution is first approved by the Secretary of the Interior shall serve out their respective terms of office. Upon the expiration of the term of office of the NTL-PC or NTL-VC, a NTL Council meeting shall be conducted in order to elect a new NTL-PC or NTL-VC in procedures established pursuant to Article IV, Section 3, above.
- 7.05 NTL-PC or NTL-VC shall be elected for a term of ten (10) years and shall assume office on the day after election results are published. Duly elected NTL-PC and NTL-VC shall serve until their respective successors are elected and installed, unless such person has been removed from office pursuant to Article XI, below.
- 7.06 NTL-PC shall establish reasonable salaries and benefits of employment and present the annual Executive division budget for approval by the NTL Council not less than sixty (60) days prior to the beginning of NTL's fiscal year.
- 7.07 Except under extraordinary circumstances and in instances in which a conflict of interest exists to prevent NTL-PC from exercising authority otherwise granted pursuant to this provision, NTL-PC shall have exclusive responsibility, consistent with personnel policies and procedures which he/she shall present for approval by the NTL Council. However, no provision of personnel policies or procedures of NTL shall disempower the NTL-PC from expeditiously removing a NTL employee charged in a court of competent jurisdiction with defrauding or attempting to defraud NTL.
- 7.08 NTL-PC shall be given the responsibility and the authority to:
- A. Manage, administer and direct the operation of NTL programs, activities and services on which he/she shall make a report not less than annually to the NTL Council.
 - B. Determine official working hours of NTL employees.



- C. Set forth NTL recognized holidays and proclaim special holidays for NTL.
 - D. Negotiate with Federal, State, local governments and private parties on behalf of NTL.
- 7.09 Subject to approval by the Secretary of the Interior, the selection of legal counsel of NTL shall be initiated by the NTL-PC and referred for approval by the NTL Council.
- 7.10 NTL-PC shall have powers of administrative veto and to submit legislation for consideration to the NTL Council.
- 7.11 NTL-PC shall advise the Secretary of the Interior and the Congress of the United States of America of the wishes of NTL with regard to federal projects or appropriations for the benefit of NTL.
- 7.12 NTL-PC shall prepare NTL's operating budget for review and approval by NTL Council.

ARTICLE VIII

Legislative Branch

- 8.01 The power to enact laws of NTL shall be within the exclusive province of the NTL Council.
- 8.02 The NTL Council shall consist of one member from each distinct family unit, with a maximum of twenty-five (25) NTL Council members provided that the NTL Council shall have responsibility for assigning new members to an existing family unit or the creation of a new family unit. The NTL Council shall have responsibility for reapportionment based on population whenever necessary.
- 8.03 Members of the NTL Council must be at least forty (40) years of age, voting members of NTL, and possess at least one drop of Natchitoches Indian blood. NTL Council members are elected for a term of ten (10) years and shall assume office on the day after the election results are published. NTL Council members shall serve until respective successors are elected and installed, unless such person has been removed from office pursuant to Article XI, below.
- 8.04 NTL Council representatives in office on the date in which this Constitution is first approved by the Secretary of the Interior shall serve out the remainder of their terms of office. Upon expiration of such terms of office, a general election shall be conducted in order to elect NTL Council representatives in procedures established pursuant to Article IV, Section 6, above.
- 8.05 In its first regular session of every year, the NTL Council shall organize and elect officers, including a NTL-Speaker of Council who shall preside over NTL Council meetings. All officers must be voting members. One person may hold more than one office, including NTL-PC and NTL-VC. Officers shall retain all voting and other rights and privileges of a NTL Council representative.
- 8.06 NTL Council shall exercise the following powers, subject to any limitations imposed by the applicable statutes of the United States of America and subject further to all express restrictions upon such powers contained in this Constitution. These powers are not subject to review by the Secretary of the Interior, except where specifically required by law.
1. Review actions of all officers, including NTL-PC and NTL-VC.
 2. Determine the disposition of NTL assets not held in trust by the Secretary of the Interior.
 3. Appoint subordinate officials, committees, and boards, as well as prescribe duties and powers, including NTL-PC and NTL-VC.
 4. Regulate its own procedures and preside over impeachment of NTL officials.
 5. Promote health, peace, morals, education and general welfare of NTL and its members.
 6. Provide for the maintenance of law and order.
 7. Override an administrative veto effected by the NTL-PC by at least two-thirds (2/3) vote of installed NTL Council members.



8. Pass ordinances necessary or incidental to the exercise of any of the foregoing powers.
 9. Determine the disposition of NTL trust assets, including acquisition, leasing and encumbrance, and to pledge NTL assets as security in financial matters, subject to applicable federal laws and not held in trust by the Secretary of the Interior.
 10. Levy dues, fees, and taxes on non-members residing or doing business on lands of NTL.
 11. Enact civil codes and ordinances governing the conduct of all persons domiciled or doing business on lands of NTL for any purpose and to enact criminal codes governing the conduct of anyone using NTL lands for any reason.
 12. Pass ordinances and resolutions necessary or incidental to the exercise of any of the foregoing powers.
- 8.07 NTL Council shall select, on the basis of professional qualification, a Legislative Secretary, who shall record minutes of all NTL Council and committee meetings. Preference shall be given to voting NTL members.
- A. NTL Legislative Secretary shall be a voting NTL member and shall serve as an employee of NTL's Legislative Branch. The salary of the NTL Legislative Secretary shall be established and approved by the NTL Council.
 - B. All materials developed and maintained by the NTL Legislative Secretary shall be the property of NTL and public records of NTL. NTL members shall be allowed access to all such materials within the normal business hours of NTL.
- 8.08 NTL Council shall select a NTL Treasurer, on the basis of professional qualifications, who shall serve as NTL Chief Financial Officer. Preference shall be given to voting NTL members.
- A. The NTL Treasurer's salary shall be established and approved by the NTL Council.
 - B. The NTL Treasurer shall work under the joint supervision of the NTL Council and the NTL-PC.
- 8.09 A quorum shall be constituted by the presence of at least one-half (1/2) of the installed NTL Council representatives at a duly called meeting.
- 8.10 A simple majority of votes of total installed NTL Council representatives shall be necessary to enact a resolution, ordinance, regulation or rule or effect any other decision of the NTL Council.
- 8.11 Regular sessions of the NTL Council shall be held once every three months, at a time and place to be designated by the NTL Council.
- 8.12 The NTL Council may schedule special sessions whenever a matter or matters of importance require(s) resolution prior to the next regular NTL Council session. The NTL-PC may call a special session at any time he/she deems necessary.
- 8.13 All NTL Council representatives will be notified by registered return receipt mail at least one (1) week prior to such special NTL Council meeting. Representatives may attend by conference call or webcam.
- 8.14 NTL members shall be welcome to attend and participate, subject to procedural constraints, in proceedings of the NTL Council, provided however, that the provisions of Article XI, Section 1, below shall apply with regard to impeachment proceedings.
- 8.15 When determined by a majority of representatives present, the NTL Council may meet in Executive Session from which all non-NTL members may be excluded. Notice that Executive Session was convened shall be noted in NTL's public record.



- 8.16 Roll call votes recording how each representative of the NTL Council voted in every matter before the NTL Council shall be recorded in the minutes of NTL Council proceedings.
- 8.17 The first NTL Council shall devise Rules of Order pursuant to which the NTL Council shall conduct its proceedings, provided such Rule of Order incorporates the following order of business:
- A. Call to Order
 - B. Roll Call
 - C. Reading of minutes of last session
 - D. Unfinished business
 - E. Reading of reports of Committees
 - F. Reading of report of NTL-PC on all NTL projects
 - G. New business, including comments from any NTL members in attendance, and
 - H. Adjournment

Rules of Order herein prescribed may be amended by a two-thirds (2/3) majority vote of installed NTL Council members at any regular NTL Council meeting.

ARTICLE IX

Judicial Branch

- 9.01 **NTL Council shall if and when a judicial department is needed.** Such branch of the NTL government shall be comprised of a police department and NTL Court.
- 9.02 Upon the initial establishment of the Judicial Branch, the NTL-PC, subject to the approval of the NTL Council, shall initiate the appointment of NTL Court Judge(s) and Clerk(s). The NTL Court's Presiding Judge shall be well versed in the laws of the United States of America concerning American Indians. Preference will be given to candidates who are NTL members. NTL Presiding Judge will not be permitted to hold any other NTL Office.
- 9.03 NTL Council shall exercise jurisdiction over all persons and matters to the fullest extent permitted by applicable laws of the United States of America.
- 9.04 NTL Presiding Judge of the NTL Court shall adopt Rules of Procedure and develop an organizational plan, which may include a NTL Court of Appeals and a NTL Juvenile Court.
- 9.05 NTL Presiding Judge shall establish an annual budget for the judicial division of NTL, which shall allow for the transcription of all decisions of the NTL Court to establish the Court as a court of record and shall include salaries and employment benefits for Judicial Branch employees. The annual budget of the NTL Court shall be presented for approval by the NTL Council not less than thirty (30) days prior to the beginning of NTL's fiscal year.
- 9.06 Preference shall be given NTL members in the selection of all employees of the Judicial Branch of NTL.



- 9.07 All Judges of the NTL Court shall be subject to impeachment as provided in Article XI, Section 1, below.
- 9.08 All proceedings before the NTL Court shall be transcribed and made a part of NTL's public record.
- 9.09 Decisions of the NTL Courts shall be final and not subject to appeal before any other judicial authority except the Supreme Court of the United States of America, or through resolution of the NTL Council by affirmative action.

ARTICLE X

Vacancies in Office

- 10.01 In case of death, resignation, or lawful removal of the NTL-PC, NTL-VC shall be immediately sworn in to the office of NTL-PC, pursuant to Article XIV, below.
- 10.02 In the event the NTL-VC succeeds to the office of Chairman, pursuant to Section 1, of this Article, the NTL Speaker of the Council shall automatically succeed to the office of NTL-VC and an election to elect a new NTL Council representative to fill the seat vacated shall be conducted within thirty(30) days following such succession.
- 10.03 In case of death, resignation or lawful removal of a NTL Council representative, an election to elect a new NTL Council representative to fill the seat vacated shall be conducted within thirty (30) days following such event.

ARTICLE XI

Removal of NTL Officials

- 11.01 Impeachment
 - A. Any elected or appointed NTL official who is convicted in a court of competent jurisdiction of any offense involving moral turpitude shall automatically be removed from office.
 - B. Any elected official of NTL who is found by NTL Council to be guilty of improper conduct or gross neglect of duty or to have failed to perform the duties of his office for a period of one hundred (100) days unless previously excused therefore by the NTL Council, may be expelled by the affirmative vote of not less than one-half (1/2) of installed NTL Council representatives, provided that the accused official shall first be given full and fair opportunity to answer to any and all charges at a special meeting of the NTL Council.
 - C. A written statement of the charges against such official shall be mailed certified and return receipt or delivered through personal service to his or her last known place of residence at least ten (10) days before the meeting at which he is to appear.
 - D. All witnesses requested by such official shall be subpoenaed by the NTL Council.
 - E. When the NTL Council is meeting for impeachment proceedings, all witnesses shall testify under oath or affirmation.



- F. The terms “improper conduct”, “crime involving moral turpitude”, and “gross neglect of duty” shall be defined and rules of procedure for impeachment proceedings determined by enactment of the NTL Council.
- G. Any officer against whom impeach proceedings are conducted shall be suspended from the exercise of the duties of his or her office during the pendency of such proceedings.
- H. The decision of the NTL Council in matters of impeachment shall be final.

11.02 . Recall

- A. Every elected official of NTL shall be subject to recall by voters of the distinct family unit from which he or she is elected subject to the following:
 - 1. Recall of a NTL official may be initiated by petition signed by a number of qualified voters exceeding thirty percent(30%) of the votes cast for that office at the last election. A recall petition must be filed with the NTL Legislative Secretary who shall, within five (5) working days following receipt of such petition serve notice on the official by mailing notice to or through personal service to his/her last known address.
 - 2. Every recall petition must include a concise statement not exceeding five hundred (500) words which sets forth the grounds on which the official is sought to be removed from office.
 - 3. Each person signing a recall petition must include the date of his/her signing and their enrollment number. The mark of a person unable to write his/her name shall be witnessed by two persons who shall attest thereto by signing their names.
 - 4. The person circulating a recall petition must sign an oath, as prescribed by the NTL Council, attesting to the eligibility of the signatures collected thereon.
- B. An official subject to recall may, within ten (10) days following their receipt of such petition, offer his or her resignation which shall be automatically accepted upon receipt.
- C. The official subject to a recall petition may file with the NTL Council a statement in response and/or defense of the claims made against him/her of not more than five hundred (500) words.
- D. An election shall be ordered within fourteen (14) days following the filing of a validly executed recall petition concerning an official who has not voluntarily resigned from office. A recall election shall be ordered by the NTL Council to be held not less than twenty-one (21) days and not more than thirty-one (31) days following such order by the NTL Council to determine whether the official shall be recalled. If the official resigns, an election will be called to determine his/her replacement.
- E. Both the statement asserting the grounds on which the official has been made subject to recall and the official’s responsive statement to such claims shall be printed on the ballot of the recall election.
- F. No official subject to recall continue to serve on the NTL Council until the result of said election is officially declared.
- G. An official who successfully withstands a recall election may not be made subject to a subsequent recall election.



- H. A recall election may be held at a special election or concurrently with any other elections, but cannot be held less than six (6) months prior to the regular election for the office in question.

ARTICLE XII

Disposition of Assets

Notwithstanding any provision of NTL law, the articles of every nonprofit corporation organized under this Act shall be conclusively deemed to contain the following provision concerning disposition of assets: “Upon dissolution of the nonprofit corporation, the NTL Council shall, after paying or making provisions for the payment of all of the liabilities on the nonprofit corporation, dispose of all of the assets of the nonprofit corporation exclusively for the purposes of the nonprofit corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, education, literary or scientific purposes as shall at the time qualify as exempt organizations under section 501(c)(3) of Title 26 of the Internal Revenue Code as amended, or the corresponding provision of any future U.S. Internal Revenue Law, as the NTL Council shall determine. Any such assets not so disposed of shall be disposed of by the courts of NTL exclusively to organizations organized for charitable, educational, literary or scientific purposed under section 501(c)(3) of Title 26 of the Internal Revenue Code as amended, or the corresponding provision of any future U.S. Internal Revenue Law.”

ARTICLE XIII

Oath of Office

All elected or appointed officials of NTL shall take the following oath when sworn into office:

“I _____, do solemnly swear that I will support and defend the Constitution of the Natchitoches Tribe of Louisiana and the Constitution of the United States of America against all enemies, that I will faithfully and impartially carry out the duties of my office to the best of my ability, and I will promote and protect the best interest of the Natchitoches Tribe of Louisiana in accordance with its Constitution and its Amendments, so help me God.”

ARTICLE XIV

Amendment

- 14.01 This Constitution may be amended by a majority vote of installed NTL Council representatives.
- 14.02 This Constitution may be amended by a majority vote of the qualified NTL voters in an election called for that purpose by the NTL Council or by the Secretary of the Interior. The NTL Council or the Secretary of the Interior shall call an election on any proposed amendment upon receipt of a petition signed by thirty (30%) percent of the total number of qualified voters of NTL. The petition and the voting pamphlet must contain the entire text of the amendment for which ratification is sought. The amendment shall become effective after voting results are certified, pursuant Article IV, section 4, above.



ARTICLE XV

Effective Date

This constitution shall become effective when approved by a majority of the qualified voters of NTL.

ARTICLE XVI

Ratification

Signed and dated by the following NTL Council representatives.