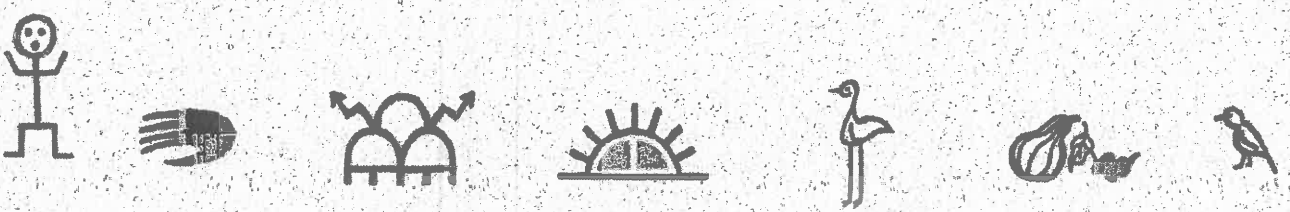




Constitution and By-laws of the Hopi Tribe

Approved December 19, 1936
and as Amended on
August 1, 1969
February 14, 1980
December 7, 1993
May 25, 2017



HOPI CLANS

<i>Tobacco -Pipwungwa</i>	<i>Coyote -Iswungwa</i>
<i>Rabbit -Tapwungwa</i>	<i>Water Coyote -Paaiswungwa</i>
<i>Roadrunner -Hospo'wungwa</i>	<i>Eagle -Kwaawungwa</i>
<i>Sun -Taawawungwa</i>	<i>Tansy Mustard -Aaswungwa</i>
<i>Parrot -Kyarwungwa</i>	<i>Grey Hawk -Masikwaywungwa</i>
<i>Sand -Tuwawungwa</i>	<i>Sparrow Hawk -Kyelwungwa</i>
<i>Rattlesnake -Tsu' wungwa</i>	<i>Kachina -Katsinwungwa</i>
<i>Lizard -Kuukutswungwa</i>	<i>Bluebird -Torswungwa</i>
<i>Butterfly -Poovolwungwa</i>	<i>Squash -Paatangwungwa</i>
<i>Cloud -Oomawwungwa</i>	<i>Crane -Atokwungwa</i>
<i>Snow -Nuvawungwa</i>	<i>Sunforehead -Qalwungwa</i>
<i>Fog -Pamöswungwa</i>	<i>Water -Patkiwungwa</i>
<i>Badger -Honanwungwa</i>	<i>Bear -Honwungwa</i>
<i>Maasaw -Maswungwa</i>	<i>Bear Strap -Piqöswungwa</i>
<i>Fire -Kookopwungwa</i>	<i>Young Corn -Piikyawungwa</i>
<i>Bamboo -Paaqapwungwa</i>	<i>Flute -Lenwungwa</i>
<i>Spider -Köokyangwungwa</i>	<i>Deer -Alwungwa</i>
<i>Greasewood -Tepwungwa</i>	<i>Bow -Aawatwungwa</i>
<i>Corn - Qa'öwungwa</i>	<i>Grey Badger - Masihonanwungwa</i>
<i>Tsàakwayna - Tsa'kwaywungwa</i>	<i>Grey Bear - Masihonwungwa</i>
<i>Raven - Angwuswungwa</i>	<i>Greasy Eye Socket - Wi'ivoswungwa</i>
<i>Rabbit Brush - Sivapwungwa</i>	<i>Arrow - Hoowungwa</i>



United States
Department of the Interior
Office of Indian Affairs

PREAMBLE

This Constitution, to be known as the Constitution and By-Laws of the Hopi Tribe, is adopted by the self-governing Hopi and Tewa Villages of Arizona to provide a way of working together for peace and agreement between the villages, and of preserving the good things of Hopi life, and to provide a way of organizing to deal with modern problems, with the United States Government and with the outside world generally.

ARTICLE I - JURISDICTION

The authority of the Tribe under this Constitution shall cover the Hopi villages and such land as shall be determined by the Hopi Tribal Council in agreement with the United States Government and the Navajo Tribe, and such lands as may be added thereto in future. The Hopi Tribal Council is hereby authorized to negotiate with the proper officials to reach such agreement, and to accept it by a majority vote.

ARTICLE II - MEMBERSHIP

SECTION 1. The following persons shall be enrolled members of the Hopi Tribe:

All persons whose names appear on the Census Roll of the Hopi Tribe as of December 31, 1937, as corrected and adopted by the Hopi Tribal Council; PROVIDED, that subsequent corrections may be made to said roll by the Hopi Tribal Council at any time with the approval of the Secretary of Interior.

SECTION 2. After the effective date of this Constitution, the following persons shall be eligible for enrolled membership in the Hopi Tribe.

(a) All persons of a one-fourth (1/4) degree Hopi Indian blood or more, or one-fourth (1/4) degree Tewa Indian blood or more, or one-fourth (1/4) degree Hopi-Tewa Indian blood or more combined, born after December 31, 1937, who are not enrolled with any other Indian Tribe.

(b) For the purpose of determining enrolled membership, Hopi Indian blood, Tewa Indian blood, and Hopi - Tewa Indian blood shall mean biological lineal descent from any Hopi or Tewa Indian person whose name appears on the Corrected Membership Roll of the Hopi Tribe as defined in Section 1.

SECTION 3. Persons Already Enrolled. All persons properly enrolled as members of the Hopi Tribe as of the effective date of this Constitution shall continue to be members.

SECTION 4. Village Membership. Village membership shall be determined by the individual Hopi Villages.

SECTION 5. Hopi Enrollment Ordinance. The Hopi Tribal Council shall adopt, and from time to time may amend, an enrollment ordinance not inconsistent with this Article, setting forth the manner in which this Article shall be implemented and administered.

ARTICLE III - ORGANIZATION

SECTION 1. The Hopi Tribe is a union of self-governing villages sharing common interests and working for the common welfare of all. It consists of the following recognized villages:

First Mesa (consolidated villages of Walpi, Shitchumovi, and Tewa).

Mishongnovi.

Sipaulavi.

Shungopavi.

Oraibi.

Kyakotsmovi.

Bakabi.

Hotevilla.

Moenkopi.

SECTION 2. The following powers which the Tribe now has under existing law or which have been given by the Act of June 18, 1934, (48 Stat. 984), and acts amendatory thereof or supplemental thereto, are reserved to the individual villages:

- (a) To appoint guardians for orphan children and incompetent members.
- (b) To adjust family disputes and regulate family relations of members of the villages.
- (c) To regulate the inheritance of property of the members of the villages.
- (d) To assign farming land, subject to the provisions of Article VII.

SECTION 3. Each village shall decide for itself how it shall be organized. Until a village shall decide to organize in another manner, it shall be considered as being under the traditional Hopi organization, and the Kikmongwi of such village shall be recognized as its leader.

SECTION 4. Any village which does not possess the traditional Hopi self-government, or which wishes to make a change in that government or add something to it, may adopt a Village Constitution in the following manner: A Constitution, consistent with this Constitution and

By-Laws, shall be drawn up, and made known to all the voting members of such village, and a copy shall be given to the Superintendent of the Hopi jurisdiction. Upon the request of the Kikmongwi of such village, or of 25% of the voting members thereof, for an election on such Constitution, the Superintendent shall make sure that all members have had ample opportunity to study the proposed Constitution. He shall then call a special meeting of the voting members of such village, for the purpose of voting on the adoption of the proposed Constitution, and shall see that there is a fair vote. If at such referendum, not less than half of the voting members of the village cast their votes, and if a majority of those voting accepts the proposed Constitution, it shall then become the Constitution of that village, and only officials chosen according to its provisions shall be recognized.

The village Constitution shall clearly say how the Council representatives and other village officials shall be chosen, as well as the official who shall perform the duties placed upon the Kikmongwi in this Constitution. Such village Constitution may be amended or abolished in the same manner as provided for its adoption.

ARTICLE IV - THE TRIBAL COUNCIL

SECTION 1. The Hopi Tribal Council shall consist of a Chairman, Vice Chairman, and representatives from the various villages. The number of representatives from each village shall be determined accordingly to its population, as follows: villages of 50 to 250 population, one (1) representative; villages of 251 to 500 population, two (2) representatives; villages of 501 to 750 population, three (3) representatives; villages of over 750 population, four (4) representatives.

The representation in the first Tribal Council shall be as follows:

First Mesa.....	4
Mishongnovi.....	2
Sipaulavi.....	1
Shungopavi.....	2
Oraibi.....	1
Kyakotsmovi.....	2
Bakabi	1
Hotevilla.....	2
Moenkopi	2

SECTION 2. The term of office of the representatives shall be two (2) years, except that at the first election or choosing of representatives following the adoption of this section, approximately one-half of the representatives shall serve for a term of one (1) year. The determination as to which representatives shall serve for one (1) year shall be made by the Tribal Council and announced to each village Kikmongwi or Governor on or before the first day of October 1969. Representatives may serve any number of terms in succession or otherwise.

SECTION 3. Each representative must be a member of the village which he represents. He must be twenty-five (25) years or more of age, and must have lived in the Hopi jurisdiction for not less than two (2) years before taking office, and must be able to speak the Hopi language fluently.

SECTION 4. Each village shall decide for itself how it shall choose its representatives, subject to the provisions of Section 5. Representatives shall be recognized by the Council only if they are certified by the Kikmongwi of their respective villages. Certifications may be made in writing or in person.

SECTION 5. One (1) representative of the Village of Moenkopi shall be selected from the Lower District, and certified by the Kikimongwi of Moenkopi, and one (1) representative shall be selected by the Upper district, and certified by the Official whom that District may appoint, or who may be specified in a village Constitution adopted under the provisions of Article III, Section 4. This section may be repealed, with the consent of the Tribal Council, by vote of a two-thirds majority at a meeting of the voting members of Moenkopi Village called and held subject to the provisions of Article III, Section 4.

SECTION 6. No business shall be done unless at least a majority of the members are present.

SECTION 7. The Chairman and Vice-Chairman shall be elected by secret ballot by all members of the Hopi Tribe. The Tribal Council shall choose from its own members or from other members of the Tribe, a secretary, treasurer, sergeant-at-arms and interpreters and such other officers and committees as it may determine necessary subject to the provisions of the By-Laws, Article I.

SECTION 8. All members of the Hopi Tribe eighteen (18) years of age or over shall be qualified to vote in any election or referendum other than village elections and referendums under such rules and regulations as may be prescribed by the Hopi Tribal Council.

SECTION 9. The Chairman and Vice Chairman shall serve for a term of four (4) years. Candidates for the offices of Chairman and Vice Chairman shall be members of the Hopi Tribe, twenty-five years of age or older and must speak the Hopi language. Each candidate for either of said offices must also have a primary and physical residency on the Hopi Reservation for not less than two years immediately preceding his announcement of such candidacy. A candidate must not have been convicted of a felony or any crime involving moral turpitude within ten (10) years of candidacy.

SECTION 10. Candidates for the offices of Chairman and Vice Chairman shall declare their candidacy with the Hopi Election Board. Candidacy procedures will be made available through the Hopi Election Board and will follow Hopi Election Board Ordinances #34 of the Hopi Tribe.

SECTION 11. A primary election shall be held on the second Thursday in September 2017 and on the second Thursday in September every fourth year thereafter. PROVIDED. That, no primary election shall be held in the years when there shall be no more than two (2) candidates for either of the offices of Chairman and Vice Chairman. The two (2) candidates in a primary election receiving the highest number of votes for each of said offices of Chairman and Vice Chairman shall have their names entered in the final election. In the event there are not more than two (2) candidates for either of such offices those candidates with no more than one (1) competing candidate shall have their names entered in the final election without the necessity of a primary election.

SECTION 12. The final election shall be held on the second Thursday in November 2017 and on the second Thursday in every fourth year thereafter.

SECTION 13. Inauguration of the Chairman and Vice Chairman shall take place at the first regular Tribal Council meeting following their election.

ARTICLE V - VACANCIES AND REMOVAL FROM OFFICE

SECTION 1. Any Chairman, Vice Chairman, representative or other officer found guilty in a tribal or other court of a misdemeanor involving dishonesty, of a felony, or of drunkenness, shall be automatically removed from office and the Council shall refuse to recognize him.

SECTION 2. Any officer or representative may be removed from office for serious neglect of duty, by a vote of not less than two-thirds of the Council, after the officer to be so removed has been given full opportunity to hear the charges against him and to defend himself before the Council.

SECTION 3. Vacancies occurring for any reason in the offices of the chairman and vice chairman or in the office of any other officer shall be filled for the rest of the term in the same manner as those officers are ordinarily chosen through a Special Election to fill the vacancies of the Chairman Vice chairman or both following the Special Election process as stated in the Hopi Election Ordinance #34.

Vacancies occurring for any reason among the officers appointed by the Council shall be filled by the Council.

Vacancies occurring for any reason in the offices of Chairman and Vice Chairman or in the offices of any officer shall be filled for the rest of the term in the same manner as those officers are ordinarily chosen.

ARTICLE VI - POWERS OF THE TRIBAL COUNCIL

SECTION 1. The Hopi Tribal Council shall have the following powers which the Tribe now has under existing law or which have been given to the Tribe by the Act of June 18, 1934. The Tribal Council shall exercise these powers subject to the terms of this Constitution and to the Constitution and Statutes of the United States.

(a) To represent and speak for the Hopi Tribe in all matters for the welfare of the Tribe, and to negotiate with the Federal, State, and local governments, and with the councils or governments of other tribes.

(b) To employ lawyers, the choice of lawyers and fixing of fees to be subject to the approval of the Secretary of the Interior so long as required by Federal law.

(c) To prevent the sale, disposition, lease or encumbrance of tribal lands, or other tribal property.

(d) To advise with the Secretary of the Interior and other governmental agencies upon all appropriation estimates or Federal projects for the benefit of the Tribe, before the submission of such estimates to the Office of Management and Budget or to Congress.

(e) To raise and take care of a tribal council fund by accepting grants or gifts from any person, State, or the United States Government, or by charging persons doing business within the Reservation reasonable license fees.

(f) To use such Tribal Council fund for the welfare of the Tribe, and for salaries or authorized expenses of tribal officers. All payments from the Tribal Council fund shall be a matter of public record at all times.

(g) To make ordinances to protect the peace and welfare of the Tribe, and to set up courts for the settlement of claims and disputes, and for the trial and punishment of Indians within the jurisdiction charged with offenses against such ordinances.

(h) To act as a court to hear and settle claims or disputes between villages in the manner provided in Article VIII.

(i) To provide by ordinance for removal or exclusion from the jurisdiction of any non-members whose presence may be harmful to the members of the Tribe.

(j) To regulate the activities of voluntary cooperative associations of members of the Tribe for business purposes.

(k) To protect the arts, crafts, traditions, and ceremonies of the Hopi Indians.

(l) To delegate any of the powers of the Council to committees or officers, keeping the right to review any action taken.

(m) To request a charter of incorporation to be issued as provided in the Act of June 18, 1934.

(n) To adopt resolutions providing the way in which the Tribal Council itself shall do its business.

SECTION 2. Any resolution or ordinance which, by the terms of this Constitution, is subject to review by the Secretary of the Interior, shall be given to the Superintendent of the jurisdiction, who shall, within ten (10) days thereafter, approve or disapprove the same.

If the Superintendent shall approve any ordinance or resolution, it shall thereupon become effective, but the Superintendent shall send a copy of the same, bearing his endorsement, to the Secretary of the Interior, who may, within ninety (90) days from the date of enactment, veto said ordinance or resolution for any reason by notifying the Tribal Council of his decision.

If the Superintendent shall refuse to approve any ordinance or resolution submitted to him, within ten (10) days after enactment, he shall report his reasons to the Tribal Council. If the Tribal Council thinks these reasons are not sufficient, it may, by a majority vote, refer the ordinance or resolution to the Secretary of the Interior, who may, within ninety (90) days from the date of its enactment, approve the same in writing, whereupon the said ordinance or resolution shall become effective.

SECTION 3. The Hopi Tribal Council may exercise such further powers as may in the future be delegated to it by the members of the Tribe or by the Secretary of the Interior, or any other duly authorized official or agency of the State or Federal Government.

SECTION 4. Any rights and powers which the Hopi Tribe of Indians now has, but which are not expressly mentioned in this Constitution, shall not be lost or limited by this Article, but may be exercised by the members of the Hopi Tribe of Indians through the adoption of appropriate by-laws and constitutional amendments.

ARTICLE VII - LAND

SECTION 1. Assignment of use of farming land within the traditional clan holdings of the Villages of First Mesa, Mishongnovi, Sipaulavi, and Shungopavi, and within the established village holdings of the Villages of Kyakotsmovi, Bakabi, Oraibi, Hotevilla, and Moenkopi, as in effect at the time of approval of this Constitution, shall be made by each village according to its established custom, or such rules as it may lay down under a village Constitution adopted according to the provisions of Article III, Section 4. Unoccupied land beyond the clan and village holdings mentioned shall be open to the use of any member of the Tribe, under the supervision of the Tribal Council.

Nothing in this Article shall permit depriving a member of the Tribe of farming land actually occupied and beneficially used by him at the time of approval of this Constitution, but where an individual is occupying or using land which belongs to another by agreement with the owner, that land shall continue to belong to that owner.

SECTION 2. In order to improve and preserve the range, range land shall be supervised by the Tribal Council in cooperation with the various United States Government agencies.

SECTION 3; All springs shall be considered the property of the Tribe, and no individual or group of individuals shall be allowed to prevent the reasonable use of any spring by members of the Tribe generally, but the individual who develops a spring, or on whose land it is, shall have the first use of it.

SECTION 4. The administration of this Article shall be subject to the provisions of Section 6 of the Act of June 18, 1934.

ARTICLE VIII DISPUTES BETWEEN VILLAGES

SECTION 1. When a dispute arises between villages over any matter, the Kikmongwi of any village party to the dispute may inform the Chairman of the Tribal Council of the nature of the dispute, and ask him to call a special meeting of the Council to settle the matter.

The Chairman shall thereupon call a special meeting of the Council, to be held on the eighth day from the day of such request, at which meeting he, and the Council representatives or other persons chosen by each village party to the dispute to speak for it before the Council, may summon all witnesses having evidence to give in the matter, and may examine them.

When the Council has heard all the evidence and examined the witnesses to its satisfaction, it shall hold a secret meeting which shall not be attended by the representatives of the villages party to the dispute, and after full and careful consideration and discussion, shall vote on a decision. Such decision shall become effective when it is carried by a majority of the Council members present. The Council shall keep a record of the evidence and the reasons for its decision.

SECTION 2. If both the Chairman and the Vice Chairman are representatives of villages party to the dispute, the Council shall elect a temporary Chairman to serve for the duration of the trial.

SECTION 3. If any village party to the dispute feels that the decision of the Council in such case is unjust, the Kikmongwi of that village may notify the Superintendent within ten (10) days and the decision of the Council shall then be subject to review by the Secretary of the Interior, within ninety (90) days thereafter, in the manner provided in Article VI, Section 2.

ARTICLE IX - BILL OF RIGHTS

SECTION 1. All resident members of the Tribe shall be given equal opportunities to share in the economic resources and activities of the jurisdiction.

SECTION 2. All members of the Tribe shall be free to worship in their own way, to speak and write their opinion, and to meet together.

ARTICLE X - AMENDMENT

Any representative may propose an amendment to this Constitution and By-Laws at any meeting of the Council. Such proposed amendment may be discussed at that meeting, but no vote shall be taken on it until the next following meeting of the Council. If the Council shall then approve such proposed amendment by a majority vote, it shall request the Secretary of the Interior to call a referendum for accepting or rejecting such amendment. It shall then be the duty of the Secretary of the Interior to call such referendum, at which the proposed amendment may be adopted subject to the Secretary's approval, in the same manner as provided for the adoption and approval of this Constitution and By-Laws.

ARTICLE XI - TAXATION

SECTION 1. The Hopi Tribal Council shall, subject to the express limitations contained in this Constitution and the laws of the United States, have the power to impose duties, fees, taxes, and assessments on any person, corporation or association residing or doing business within the Hopi Reservation, PROVIDED, That the Tribal Council shall not have the power to impose a personal income tax.

SECTION 2. No tax imposed by the Tribal Council under Section 1 of this Article shall become effective unless approved by a majority vote of the eligible voters of the Hopi Tribe voting in a referendum called for that purpose pursuant to Section 8 of Article IV of this Constitution.

BY-LAWS OF THE HOPI TRIBE

ARTICLE I - DUTIES AND QUALIFICATIONS OF OFFICERS

SECTION 1. The Chairman shall preside over all meetings of the Tribal Council. He shall perform all duties of a Chairman fairly and impartially, and exercise any authority delegated to him by the Council.

He shall vote only in case of a tie.

SECTION 2. The Vice Chairman shall help the Chairman in his duties when called upon to do so, and in the absence of the Chairman shall act as Chairman with all the attendant powers and duties.

SECTION 3. The representatives shall perform the duties of the Council, set forth in this Constitution and By-Laws. They shall inform the people of their villages of the matters discussed and the actions taken, and they shall fairly and truly represent the people of their villages.

SECTION 4. The Secretary shall write all tribal correspondence, as authorized by the Council, and shall keep an accurate record of all action of regular and special meetings of the Council. He shall keep a copy of such records in good order and available to the general public and shall send another copy of them, following each meeting of the Council, to the Superintendent of the jurisdiction. He shall have a vote in the Council only if he is a regular representative.

The Secretary must be a resident member of the Hopi Tribe, and must be able to speak the Hopi language fluently, and to read and write English well.

SECTION 5. The Treasurer shall receive, receipt for, and take care of all funds in the custody of the Council, and deposit them in a bank or elsewhere as directed by the Council. He shall make payments therefrom only when authorized by a resolution of the Council, and in the manner authorized. He shall keep a faithful record of such funds, and shall report fully on receipts, payments, and amounts in hand at all regular meetings of the Council and whenever requested to do so by the Council. His accounts shall be open to public inspection.

He shall have a vote in the Council only if he is a regular representative.

The Treasurer may be required by the Council to give a bond satisfactory to the Council and to the Commissioner of Indian Affairs.

The Treasurer must be a resident member of the Hopi Tribe, and must be able to speak the Hopi language fluently and to read and write English well.

SECTION 6. The interpreter or interpreters shall be resident members of the Hopi Tribe, and shall be able to interpret fluently and accurately in the Hopi, English, and Navajo languages, and shall do so whenever requested by the Council. Interpreters shall have a vote in the Council only when they are regular representatives.

SECTION 7. The Sergeant-at-Arms, at the orders of the Chairman, shall enforce order in the Council, and shall summon all persons required to appear before the Council, and deliver notices of special meetings, and perform such other duties as may be required of him by the Council. The Sergeant-at-Arms shall be a resident member of the Hopi Tribe, and must be able to speak Hopi fluently, and to speak English.

SECTION 8. The qualifications and duties of all committees and officers appointed by the Council shall be clearly defined by resolution of the Tribal Council at the time the positions are created. Such committees or officers shall report to the Council whenever required.

ARTICLE II - MEETINGS OF THE COUNCIL

SECTION 1. Regular meetings of the Tribal Council shall be held on the first day of December, March, June, and September, at such places as shall be determined by the Council.

SECTION 2. Within sixteen (16) days after this Constitution goes into effect, the villages shall choose their representatives for the first term of one (1) year, and on the sixteenth day the first meeting of the Council shall be held at Oraibi Day School.

SECTION 3. Special meetings of the Council shall be called by the Chairman in his discretion or at the request of four (4) representatives, or in the case of a dispute between villages, as provided in Article VIII of the Constitution. Notice of special meetings shall be delivered to each representative not less than eight (8) days before such meeting, together with a statement of the business to be discussed thereat.

SECTION 4. All members of the Hopi Tribe may attend any meeting of the Council, but they may not speak, except by invitation of the Council. Non-members may be invited by the Council to attend any meeting and to address it.

SECTION 5. The Council may employ, or may request the Superintendent of the jurisdiction to furnish, a clerk trained in shorthand, to take down verbatim minutes of any meeting.

SECTION 6. When the Council desires advise of, or consultation with, any officer of the Federal Government, it may invite him to attend any meeting and may give him the privilege of the floor.

ARTICLE III - ORDINANCES AND RESOLUTIONS

All ordinances and resolutions shall be recorded and available at all times for the information and education of the Tribe. Copies of all ordinances shall be posted from time to time in a public place in each village.

ARTICLE IV - EAGLE HUNTING TERRITORIES AND SHRINES

The Tribal Council shall negotiate with the United States Government agencies concerned, and with other tribes and other persons concerned, in order to secure protection of the right of the Hopi Tribe to hunt for eagles in its traditional territories, and to secure adequate protection for its outlying, established shrines.

ARTICLE V - ALL-PUEBLO COUNCIL

The Tribal Council may appoint delegates to speak for the Tribe at the All-Pueblo Council, and to report to the Council and the Tribe on all proceedings thereof.

ARTICLE VI - ADOPTION OF CONSTITUTION AND BY-LAWS

This Constitution and By-Laws, when ratified by a majority vote of the adult members of the Hopi Tribe voting at a referendum called for that purpose by the Secretary of the Interior, PROVIDED, that at least thirty percent (30%) of those entitled to vote shall vote at such referendum, shall be submitted to the Secretary of the Interior, and if approved, shall take effect from the date of approval.

CERTIFICATION OF ADOPTION

Pursuant to an order, approved September 30, 1936, by the Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the Hopi Tribe residing on the Hopi Reservation, and was on October 24, 1936, duly adopted by a vote of 651 for, and 104 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).

George Coochise, *Chairman of Election Board.*

Albert Yava, *Secretary of Election Board.*

A. G. Hutton, *Superintendent.*

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 Hopi Tribe.

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 and By-laws are hereby declared inapplicable to these Indians.

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

Approval recommended December 14, 1936.

John Collier, *Commissioner of Indian Affairs*

Harold L. Ickles, *Secretary of the Interior* [Seal]

Washington, D.C., December 19, 1936

AMENDMENT
CONSTITUTION AND BYLAWS
of the
HOPI TRIBE
ARIZONA

AUG - I 1969

AMENDMENT I

Section 3 of Article II, Membership, shall be deleted in its entirety.

The first sentence of Article IV, The Tribal Council, shall be amended to read:

Section 1. The Hopi Tribal Council shall consist of a chairman, vice chairman and representatives from the various villages.

Section 2 of Article IV, The Tribal Council, shall be amended in its entirety to read as follows:

Sec. 2. The term of office of the representatives shall be two years, except that at the first election or choosing of representatives following the adoption of this section, approximately one-half of the representatives shall serve for a term of one year. The determination as to which representatives shall serve for one year shall be made by the tribal council and announced to each village Kickmongwi or Governor on or before the first day of October 1969. Representatives may serve any number of terms in succession or otherwise.

Section 7 of Article IV, The Tribal Council, shall be amended to read as follows:

Sec. 7. The chairman and vice chairman shall be elected by secret ballot by all members of the Hopi Tribe. The tribal council shall choose from its own members or from other members of the tribe, a secretary, treasurer, sergeant-at-arms and interpreters and such other officers and committees as it may determine necessary, subject to the provisions of the Bylaws, Article I.

Article IV, The Tribal Council, shall be amended by adding to it Sections 8, 9, 10, 11, 12 and 13 as follows:

Sec. 8. All members of the Hopi Tribe twenty-one years of age or over shall be qualified to vote in any election or referendum, other than village elections and referendums under such rules and regulations as may be prescribed by the Hopi Tribal Council and approved by the Secretary of the Interior.

Sec. 9. The chairman and vice chairman shall each serve for a term of four years. Candidates for the offices of chairman and vice chairman shall be members of the Hopi Tribe, twenty-five years of age or older and must be able to speak the Hopi language fluently. Each candidate for either of said offices must also have lived on the Hopi Reservation for not less than two years immediately preceding his announcement of such candidacy.

Sec. 10. Candidates for the offices of chairman and vice chairman may declare their candidacy by filing with the tribal secretary or tribal chairman or vice chairman a petition signed by at least ten adult members of the tribe at least 15 days before the date set for the election. It shall be the duty of the secretary to post the names of the qualified candidates for both the primary and final elections in a public place in each village at least ten days prior to the election.

Sec. 11. A primary election shall be held on the first Wednesday in November in 1969 and on the first Wednesday in November in every fourth year thereafter, provided that, no primary election shall be held in the years when there shall be no more than two candidates for either of the offices of chairman and vice chairman.

The two candidates in a primary election receiving the highest number of votes for each of said offices of chairman and vice chairman shall have their names entered in the final election. In the event there are not more than two candidates for either of such offices those candidates with no more than one competing candidate shall have their names entered in the final election without the necessity of a primary election.

Sec. 12. The general election shall be held on the third Wednesday in November 1969 and on the third Wednesday in November in every fourth year thereafter.

Sec. 13. Inauguration of the chairman and vice chairman shall take place at the first regular tribal council meeting following their election.

AMENDMENT
CONSTITUTION AND BYLAWS
of the
HOPI TRIBE
ARIZONA

AMENDMENT II

Article V, Vacancies and Removal from Office, shall be amended as follows:

Section 1. Any chairman, vice chairman, representative or other officer found guilty in a tribal or other court of a misdemeanor involving dishonesty, of a felony, or of drunkenness, shall be automatically removed from office, and the council shall refuse to recognize him.


Section 3, paragraph 3 shall be added as follows:

Vacancies occurring for any reason in the offices of chairman and vice chairman or in the office of any other officer shall be filled for the rest of the term in the same manner as those officers are ordinarily chosen.

APPROVAL

I, Harrison Loesch, Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted to me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Amendments I and II to the Constitution and Bylaws of the Hopi Tribe of Arizona.

Approval Recommended:


Commissioner of Indian Affairs



Assistant Secretary of the Interior

Washington, D. C.

Date: AUG - 1 1959

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
HOPI TRIBE OF ARIZONA

Amendment III

Article II, Membership, Section 1, subsections 1(a), 1(b) and 1(c) shall be amended as follows:

Section 1. Membership in the Hopi Tribe shall be as follows:

- (a) All persons whose names appear on the census roll of the Hopi Tribe as of December 31, 1937, provided that corrections may be made at any time to said roll by the Tribal Council, subject to the approval of the Secretary of the Interior.
- (b) All children born after December 31, 1937, whose father and mother are both members of the Hopi Tribe.
- (c) All children born after December 31, 1937, whose mother is a member of the Hopi Tribe, and whose father is a member of some other tribe.


Article II, Section 1, subsection 1(d) is not being amended.

CERTIFICATES OF RESULTS OF ELECTION

Pursuant to an election authorized by the Phoenix Area Office on June 26, 1979, the attached Amendment III to the Constitution and By-laws of the Hopi Tribe, was submitted to the qualified voters of the Hopi Tribe of Arizona and was on January 30, 1980, duly adopted by a vote of 607 for and 74 against, in an election in which at least 30 per cent of the 977 entitled to vote cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 13, 1934, (48 Stat. 984) as amended by the Act of June 15, 1934, (49 Stat. 378).


Alpha H. Setakuku, Chairman
Election Board

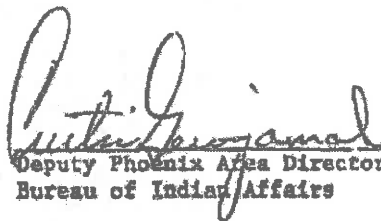

Samuel P. Shing, Member
Election Board


Thomas Balenquah, Member
Election Board

APPROVAL

Amendment No. III

I, Curtis Geiogomah, Deputy Phoenix Area Director, Bureau of Indian Affairs, by virtue of the authority delegated to the Commissioner of Indian Affairs by the Act of June 18, 1934 (48 Stat. 984), as amended, and redelegated to me, do hereby approve the foregoing Amendment No. III to the Constitution and Bylaws of the Hopi Tribe of Arizona; provided that nothing in this approval shall be construed as authorizing any action under the Constitution and Bylaws that would be contrary to Federal Law.


Deputy Phoenix Area Director
Bureau of Indian Affairs

Phoenix, Arizona

Date: FEB 14 1960

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
HOPI TRIBE OF ARIZONA

AMENDMENT NO. A

ARTICLE II - MEMBERSHIP shall be amended in its entirety to read as follows:

ARTICLE II - MEMBERSHIP

Section 1. The following persons shall be enrolled members of the Hopi Tribe.

All persons whose names appear on the Census Roll of the Hopi Tribe as of December 31, 1937, as corrected and adopted by the Hopi Tribal Council; PROVIDED, That subsequent corrections may be made to said roll by the Hopi Tribal Council at any time with the approval of the Secretary of the Interior.

Section 2. After the effective date of this amendment, the following persons shall be eligible for enrolled membership in the Hopi Tribe.

- (a) All persons of one-fourth (1/4) degree Hopi Indian blood or more, or one-fourth (1/4) degree Tewa Indian blood or more, or one-fourth (1/4) degree Hopi-Tewa Indian blood or more combined, born after December 31, 1937, who are not enrolled with any other Indian Tribe.
- (b) For the purpose of determining enrolled membership, Hopi Indian blood, Tewa Indian blood, and Hopi-Tewa Indian blood shall mean biological lineal descent from any Hopi or Tewa Indian person whose name appears on the Corrected Membership Roll of the Hopi Tribe as defined in Section 1.

Section 3. Persons Already Enrolled. All persons properly enrolled as members of the Hopi Tribe as of the effective date of this amendment shall continue to be members.

Section 4. Village Membership. Village membership shall be determined by the individual Hopi Villages.

Section 5. Hopi Enrollment Ordinance. The Hopi Tribal Council shall adopt, and from time to time may amend, an enrollment ordinance not inconsistent with this Article, setting forth the manner in which this Article shall be implemented and administered.

Having been duly adopted and approved, Proposed Amendment A is hereby designated as Amendment No. IV to the Constitution and Bylaws of the Hopi Tribe of Arizona.

CERTIFICATE OF RESULTS OF ELECTION

Pursuant to a Secretarial election authorized by the Assistant Secretary - Indian Affairs on September 8, 1993, Amendment No. A to the Constitution and Bylaws of the Hopi Tribe of Arizona was submitted to the qualified voters of the Hopi Tribe, and was on Dec. 7, 1993, duly adopted/rejected by a vote of 364 for, and 134 against, and 9 cast ballots found spoiled or mutilated, in an election in which at least thirty percent (30%) of the 776 members 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.

Davis F. Pecusa

Chairman, Election Board

Henri Jalayumtus

Election Board Member

Beverly J. Thomas

Election Board Member

Boh Thunder Hawk

Election Board Member

Robert C. Sabieston Jr

Election Board Member

Date: 12/07/93

APPROVAL

I, Ada E. Deer, Assistant Secretary - Indian Affairs, by virtue of the authority granted to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended, and delegated to me by 230 D. M. 2.4, do hereby approve Amendment A, hereinafter known as Amendment No. IV, to the Constitution and Bylaws of the Hopi Tribe of Arizona. This Amendment is effective as of this date; PROVIDED, That nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal law.



Ada E. Deer
Assistant Secretary - Indian Affairs

Washington, D. C.

Date: Dec 1955

**AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
HOPI TRIBE OF ARIZONA**

AMENDMENT B

Section 8 of ARTICLE IV - THE TRIBAL COUNCIL shall be amended to read as follows:

Section 8. All members of the Hopi Tribe eighteen (18) years of age or over shall be qualified to vote in any election or referendum other than village elections and referendums under such rules and regulations as may be prescribed by the Hopi Tribal Council.

Having been duly adopted and approved, Proposed Amendment B is hereby designated as Amendment No. V to the Constitution and Bylaws of the Hopi Tribe of Arizona.

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
HOPI TRIBE OF ARIZONA

AMENDMENT D

Section 1(g) of ARTICLE VI - POWERS OF THE TRIBAL COUNCIL shall be amended to eliminate Secretarial approval to read as follows:

- (g) To make ordinances to protect the peace and welfare of the Tribe, and to set up courts for the settlement of claims and disputes, and for the trial and punishment of Indians within the jurisdiction charged with offenses against such ordinances.

Having been duly adopted and approved, Proposed Amendment D is hereby designated as Amendment No. VII to the Constitution and Bylaws of the Hopi Tribe of Arizona.

**AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
HOPI TRIBE OF ARIZONA**

AMENDMENT D

Section 1(g) of ARTICLE VI - POWERS OF THE TRIBAL COUNCIL shall be amended to eliminate Secretarial approval to read as follows:

- (g) To make ordinances to protect the peace and welfare of the Tribe, and to set up courts for the settlement of claims and disputes, and for the trial and punishment of Indians within the jurisdiction charged with offenses against such ordinances.

Having been duly adopted and approved, Proposed Amendment D is hereby designated as Amendment No. VII to the Constitution and Bylaws of the Hopi Tribe of Arizona.

CERTIFICATE OF RESULTS OF ELECTION

Pursuant to a Secretarial election authorized by the Assistant Secretary - Indian Affairs on September 8, 1993, Amendment B to the Constitution and Bylaws of the Hopi Tribe of Arizona was submitted to the qualified voters of the Hopi Tribe, and was on Dec. 7, 1993, duly adopted/rejected by a vote of 343 for, and 154 against, and 0 cast ballots found spoiled or mutilated, in an election in which at least thirty percent (30%) of the 776 members 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.

Davis F. Peusa
Chairman, Election Board

Heroin Jalaymshaw
Election Board Member

Bernard J. Thomas
Election Board Member

Betty Thunder Hawk
Election Board Member

Robert C. Sabieston Jr
Election Board Member

Date: 12/07/93

APPROVAL

I, Ada E. Deer, Assistant Secretary - Indian Affairs, by virtue of the authority granted to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended, and delegated to me by 230 D.M. 2.4, do hereby approve Amendment B, hereinafter known as Amendment No. V, to the Constitution and Bylaws of the Hopi Tribe of Arizona. This Amendment is effective as of this date; PROVIDED, That nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal law.



Ada E. Deer
Assistant Secretary - Indian Affairs

Washington, D. C.

Date

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
HOPI TRIBE OF ARIZONA

AMENDMENT C

Section 1(e) of ARTICLE VI - POWERS OF THE TRIBAL COUNCIL shall be amended to eliminate Secretarial approval to read as follows:

- (e) To raise and take care of a tribal council fund by accepting grants or gifts from any person, State, or the United States Government, or by charging persons doing business within the Reservation reasonable license fees.

Having been duly adopted and approved, Proposed Amendment C is hereby designated as Amendment No. VI to the Constitution and Bylaws of the Hopi Tribe of Arizona.

CERTIFICATE OF RESULTS OF ELECTION

Pursuant to a Secretarial election authorized by the Assistant Secretary - Indian Affairs on September 8, 1993, Amendment C to the Constitution and Bylaws of the Hopi Tribe of Arizona was submitted to the qualified voters of the Hopi Tribe, and was on Dec. 7, 1993, duly adopted/rejected by a vote of 325 for, and 169 against, and 0 cast ballots found spoiled or mutilated, in an election in which at least thirty percent (30%) of the 776 members 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.

Dennis F. Recusa

Chairman, Election Board

Harri Selayuntes

Election Board Member

Beverly J. Thomas

Election Board Member

Betty Thunder Hawk

Election Board Member

Robert C. Sakiestewa Jr

Election Board Member

Date: 12/07/93

APPROVAL

I, Ada E. Deer, Assistant Secretary - Indian Affairs, by virtue of the authority granted to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended, and delegated to me by 230 D.M. 2.4, do hereby approve Amendment C, hereinafter known as Amendment No. VI, to the Constitution and Bylaws of the Hopi Tribe of Arizona. This Amendment is effective as of this date; PROVIDED, That nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal law.

Ada E. Deer

Ada E. Deer
Assistant Secretary - Indian Affairs

Washington, D. C.

Date: DEC 10 1933

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
HOPI TRIBE OF ARIZONA

AMENDMENT D

Section 1(g) of ARTICLE VI - POWERS OF THE TRIBAL COUNCIL shall be amended to eliminate Secretarial approval to read as follows:

- (g) To make ordinances to protect the peace and welfare of the Tribe, and to set up courts for the settlement of claims and disputes, and for the trial and punishment of Indians within the jurisdiction charged with offenses against such ordinances.

Having been duly adopted and approved, Proposed Amendment D is hereby designated as Amendment No. VII to the Constitution and Bylaws of the Hopi Tribe of Arizona.

CERTIFICATE OF RESULTS OF ELECTION

Pursuant to a Secretarial election authorized by the Assistant Secretary - Indian Affairs on September 8, 1993, Amendment D to the Constitution and Bylaws of the Hopi Tribe of Arizona was submitted to the qualified voters of the Hopi Tribe, and was on Dec. 7, 1993, duly adopted/rejected by a vote of 311 for, and 178 against, and 0 cast ballots found spoiled or mutilated, in an election in which at least thirty percent (30%) of the 776 members 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.

David F. Peasey
Chairman, Election Board

Genei Ahagumtuwa
Election Board Member

Bernice D. Shuman
Election Board Member

Betty Thunder Hawk
Election Board Member

Robert C. Sakiatavafz
Election Board Member

Date: 12/07/93

APPROVAL

I, Ada E. Deer, Assistant Secretary - Indian Affairs, by virtue of the authority granted to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended, and delegated to me by 230 D. M. 2.4, do hereby approve Amendment D, hereinafter known as Amendment No. VII, to the Constitution and Bylaws of the Hopi Tribe of Arizona. This Amendment is effective as of this date; PROVIDED, That nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal law.

Ada E. Deer

Ada E. Deer
Assistant Secretary - Indian Affairs

Washington, D. C.

Date: DEC 30 1993

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
HOPI TRIBE OF ARIZONA

AMENDMENT E

Section 1 (i) of ARTICLE VI - POWERS OF THE TRIBAL COUNCIL shall be amended to eliminate Secretarial approval to read as follows:

- (i) To provide by ordinance for removal or exclusion from the jurisdiction of any non-members whose presence may be harmful to the members of the Tribe.

Having been duly adopted and approved, Proposed Amendment E is hereby designated as Amendment No. VIII to the Constitution and Bylaws of the Hopi Tribe of Arizona.

CERTIFICATE OF RESULTS OF ELECTION

Pursuant to a Secretarial election authorized by the Assistant Secretary - Indian Affairs on September 8, 1993, Amendment E to the Constitution and Bylaws of the Hopi Tribe of Arizona was submitted to the qualified voters of the Hopi Tribe, and was on Dec. 7, 1993, duly adopted/rejected by a vote of 329 for, and 162 against, and 0 cast ballots found spoiled or mutilated, in an election in which at least thirty percent (30%) of the 776 members 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.

Dennis F. Pocus

Chairman, Election Board

Garni Alayungtewa

Election Board Member

Beverly J. Shoman

Election Board Member

Beth Thunder Hawk

Election Board Member

Robert C. Schickawa Jr

Election Board Member

Date: 12/07/93

APPROVAL

I, Ada E. Deer, Assistant Secretary - Indian Affairs, by virtue of the authority granted to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended, and delegated to me by 230 D.M. 2.4, do hereby approve Amendment E, hereinafter known as Amendment No. VIII, to the Constitution and Bylaws of the Hopi Tribe of Arizona. This Amendment is effective as of this date; PROVIDED, That nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal law.

Ada E. Deer

Ada E. Deer
Assistant Secretary - Indian Affairs

Washington, D. C.

Date: **DEC 30 1993**

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
HOPI TRIBE OF ARIZONA

AMENDMENT F

Section 1(b) of ARTICLE VI - POWERS OF THE TRIBAL COUNCIL shall be amended to read as follows:

- (b) To employ lawyers, the choice of lawyers and fixing of fees to be subject to the approval of the Secretary of the Interior so long as required by Federal law.

Having been duly adopted and approved, Proposed Amendment F is hereby designated as Amendment No. IX to the Constitution and Bylaws of the Hopi Tribe of Arizona.

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
HOPI TRIBE OF ARIZONA

AMENDMENT G

The Constitution and Bylaws of the Hopi Tribe shall be amended by adding a new article entitled ARTICLE XI - TAXATION to read as follows:

ARTICLE XI - TAXATION

Section 1. The Hopi Tribal Council shall, subject to the express limitations contained in this Constitution and the laws of the United States, have the power to impose duties, fees, taxes, and assessments on any person, corporation or association residing or doing business within the Hopi Reservation, PROVIDED, That the Tribal Council shall not have the power to impose a personal income tax.

Section 2. No tax imposed by the Tribal Council under Section 1 of this Article shall become effective unless approved by a majority vote of the eligible voters of the Hopi Tribe voting in a referendum called for that purpose pursuant to Section 8 of Article IV of this Constitution.

Having been duly adopted and approved, Proposed Amendment G is hereby designated as Amendment No. X to the Constitution and Bylaws of the Hopi Tribe of Arizona.

CERTIFICATE OF RESULTS OF ELECTION

Pursuant to a Secretarial election authorized by the Assistant Secretary - Indian Affairs on September 8, 1993, Amendment F to the Constitution and Bylaws of the Hopi Tribe of Arizona was submitted to the qualified voters of the Hopi Tribe, and was on Dec. 7, 1993, duly adopted/rejected by a vote of 344 for, and 144 against, and 0 cast ballots found spoiled or mutilated, in an election in which at least thirty percent (30%) of the 776 members entitled to vote, cast their ballots in accordance with Section 15 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended.

Davis F. Pecos
Chairman, Election Board

Henri J. Huntington
Election Board Member

Bernard J. Thomas
Election Board Member

Betty Thunder Hawk
Election Board Member

Robert C. Sakintewa Jr
Election Board Member

Date: 12/07/93

APPROVAL

I, Ada E. Deer, Assistant Secretary - Indian Affairs, by virtue of the authority granted to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended, and delegated to me by 230 D.M. 2.4, do hereby approve Amendment F, hereinafter known as Amendment No. IX, to the Constitution and Bylaws of the Hopi Tribe of Arizona. This Amendment is effective as of this date; PROVIDED, That nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal law.



Ada E. Deer
Assistant Secretary - Indian Affairs

Washington, D. C.

Date: DEC 30 1993

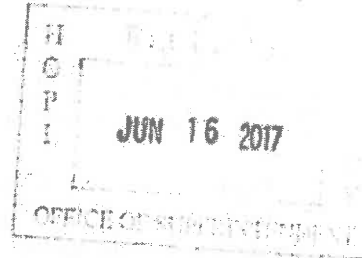


United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
WESTERN REGIONAL OFFICE
2600 North Central Avenue, 4th Floor
Phoenix, Arizona 85004

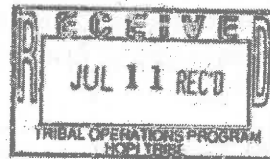


In Reply Refer To:
Tribal Government Services-MS360

JUN 08 2017



Honorable Herman G. Honanie
Chairman, Hopi Tribe
PO Box 123
Kykotsmovi, Arizona 86039



Dear Chairman Honanie:

The Hopi Tribe (Tribe) submitted a request for the Secretary of the Interior to call and conduct a Secretarial election on the proposed amendments to the Constitution and By-laws of the Hopi Tribe (Constitution). The Tribe submitted seven proposed amendments approved by Resolution H-007-2017. On February 24, 2017, the Tribe submitted an Eligible Voters List which was certified by resolution H-024-2017, to complete the Tribe's request for a Secretarial election. On March 15, 2017, a letter was provided to the Tribe which outlined concerns regarding the proposed amendments. The Tribe declined March 23, 2017, by letter, to revise any of the proposed amendments and requested to continue with the Secretarial election process.

The Regional Director authorized the Superintendent, Hopi Agency to call and conduct the Hopi Secretarial election by memorandum dated April 3, 2017. The Secretarial election, conducted by mail out ballot, concluded on May 25, 2017.

As evidenced by the Certificate of Results of Election, signed by the Secretarial Election Board Members on May 25, 2017, the proposed **Amendment A** was adopted by a vote of 296 for and 90 against and 6 cast ballots found to be spoiled in an election in which at least 30 percent of the 698 registered voters cast their ballot.

As evidenced by the Certificate of Results of Election, signed by the Secretarial Election Board Members on May 25, 2017, the proposed **Amendment B** was adopted by a vote of 322 for and 64 against and 6 cast ballots found to be spoiled in an election in which at least 30 percent of the 698 registered voters cast their ballot.

As evidenced by the Certificate of Results of Election, signed by the Secretarial Election Board Members on May 25, 2017, the proposed **Amendment C** was adopted by a vote of 358 for and 28 against and 5 cast ballots found to be spoiled in an election in which at least 30 percent of the 698 registered voters cast their ballot.

As evidenced by the Certificate of Results of Election, signed by the Secretarial Election Board Members on May 25, 2017, the proposed **Amendment D** was adopted by a vote of 340 for and

46 against and 6 cast ballots found to be spoiled in an election in which at least 30 percent of the 698 registered voters cast their ballot.

As evidenced by the Certificate of Results of Election, signed by the Secretarial Election Board Members on May 25, 2017, the proposed Amendment E was adopted by a vote of 338 for and 46 against and 7 cast ballots found to be spoiled in an election in which at least 30 percent of the 698 registered voters cast their ballot.

As evidenced by the Certificate of Results of Election, signed by the Secretarial Election Board Members on May 25, 2017, the proposed Amendment F was adopted by a vote of 341 for and 35 against and 6 cast ballots found to be spoiled in an election in which at least 30 percent of the 698 registered voters cast their ballot.

As evidenced by the Certificate of Results of Election, signed by the Secretarial Election Board Members on May 25, 2017, the proposed Amendment G was adopted by a vote of 357 for and 29 against and 5 cast ballots found to be spoiled in an election in which at least 30 percent of the 698 registered voters cast their ballot.

There were no challenges submitted regarding the results of the Secretarial election, therefore, by my signature on the enclosed Certificates of Approval, the proposed Amendments A-G are hereby approved pursuant to the authority delegated to me by the Secretary of the Interior by 3 IAM 4.

Enclosed with this letter are the amendments, the original Certificates of Approval and the Certificate of Results of Election for your files. As a last note, my decision to approve these amendments are a final agency action 25 C.F.R. §§ 81.45; 81.45(f). Pursuant to the revised Secretarial election regulations, this decision is a final agency action that is not "subject to appeal to a superior authority in the Department." 25 C.F.R. § 2.6.

Congratulations on a successful Secretarial election and should you have any questions, please contact Ms. Sharlot Johnson, Regional Tribal Operations Officer, or Ms. Sophia Torres, Tribal Operations Specialist, for assistance at (602) 379-6786.

Sincerely,



Regional Director

cc: Superintendent, Hopi Agency
Director, Bureau of Indian Affairs

CONSTITUTION AND BY-LAWS OF
THE HOPI TRIBE
ARIZONA

Proposed Amendment A

Article IV – The Tribal Council

Sec. 9., second sentence shall be amended to read as follows:

Candidates for the offices of chairman and vice chairman shall be members of the Hopi Tribe, twenty-five years of age or older and must speak the Hopi language.

Having been duly adopted and approved, Proposed Amendment A is hereby designated as Amendment No. XI to the Constitution and By-laws of the Hopi Tribe

CONSTITUTION AND BY-LAWS OF
THE HOPI TRIBE
ARIZONA

CERTIFICATE OF RESULTS OF ELECTION

Under a Secretarial election authorized by Bryan Bowker, Regional Director, Western Region, Bureau of Indian Affairs, on APR 03 2017 the attached Amendment A to the Constitution and By-laws of the Hopi Tribe was submitted to the registered voters of the tribe and on May 25, 2017 duly adopted rejected by a vote of 2910 for and 90 against and 6 cast ballots found spoiled in an election in which at least 30 percent of the 698 registered voters cast their ballot in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended.


Chair of the Secretarial Election Board


Election Board Member


Election Board Member

Date: May 25, 2017

CERTIFICATE OF APPROVAL

Amendment A, to the Constitution and By-laws of the Hopi Tribe which was adopted by the qualified voters of the Tribe on May 25, 2017, is hereby approved and designated as Amendment XI pursuant to the authority delegated to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended and re-delegated to me under 3 IAM 4. This approval is effective as of this date; provided that nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal Law.


Regional Director

6/21/17
Date

**CONSTITUTION AND BY-LAWS OF
THE HOPI TRIBE
ARIZONA**

Proposed Amendment B

Article IV – The Tribal Council

Sec. 9., third sentence shall be amended to read as follows:

Each candidate for either of said offices must also have a primary and physical residency on the Hopi Reservation for not less than two years immediately preceding his announcement of such candidacy.

Having been duly adopted and approved, Proposed Amendment B is hereby designated as Amendment No. XII to the Constitution and By-laws of the Hopi Tribe

CONSTITUTION AND BY-LAWS OF
THE HOPI TRIBE
ARIZONA

CERTIFICATE OF RESULTS OF ELECTION

Under a Secretarial election authorized by Bryan Bowker, Regional Director, Western Region, Bureau of Indian Affairs, on APR 03 2017 the attached Amendment B to the Constitution and By-laws of the Hopi Tribe was submitted to the registered voters of the tribe and on May 25, 2017 duly adopted / rejected by a vote of 322 for and 104 against and 6 cast ballots found spoiled in an election in which at least 30 percent of the 198 registered voters cast their ballot in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended.


Chair of the Secretarial Election Board


Election Board Member


Election Board Member

Date: May 25, 2017

CERTIFICATE OF APPROVAL

Amendment B, to the Constitution and By-laws of the Hopi Tribe which was adopted by the qualified voters of the Tribe on May 25, 2017, is hereby approved and designated as Amendment XII pursuant to the authority delegated to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended and re-delegated to me under 3 IAM 4. This approval is effective as of this date; provided that nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal Law.



Regional Director

6/8/17
Date

CONSTITUTION AND BY-LAWS OF
THE HOPI TRIBE
ARIZONA

Proposed Amendment C

Article IV – The Tribal Council

Sec. 9., shall add the following sentence to the end of the paragraph to read as follows:

A candidate must not have been convicted of a felony or any crime involving moral turpitude within ten (10) years of candidacy.

Having been duly adopted and approved, Proposed Amendment C is hereby designated as Amendment No. XIII to the Constitution and By-laws of the Hopi Tribe

CONSTITUTION AND BY-LAWS OF
THE HOPI TRIBE
ARIZONA

CERTIFICATE OF RESULTS OF ELECTION

Under a Secretarial election authorized by Bryan Bowker, Regional Director, Western Region, Bureau of Indian Affairs, on APR 03 2017 the attached Amendment C to the Constitution and By-laws of the Hopi Tribe was submitted to the registered voters of the tribe and on May 25, 2017 duly adopted / rejected by a vote of 358 for and 28 against and 5 cast ballots found spoiled in an election in which at least 30 percent of the 698 registered voters cast their ballot in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended.

John J. Jones
Chair of the Secretarial Election Board

Wynona Johnson
Election Board Member

Mina Kapung
Election Board Member

Date: May 25, 2017

CERTIFICATE OF APPROVAL

Amendment C, to the Constitution and By-laws of the Hopi Tribe which was adopted by the qualified voters of the Tribe on May 25, 2017, is hereby approved and designated as Amendment XIII pursuant to the authority delegated to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended and re-delegated to me under 3 IAM 4. This approval is effective as of this date; provided that nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal Law.



Regional Director

6/8/17

Date

CONSTITUTION AND BY-LAWS OF
THE HOPI TRIBE
ARIZONA

Proposed Amendment D

Article IV – The Tribal Council

Sec. 10., shall be amended to read as follows:

Candidates for the offices of Chairman and Vice Chairman shall declare their candidacy with the Hopi Election Board. Candidacy procedures will be made available through the Hopi Election Board and will follow Hopi Election Ordinance #34 of the Hopi Tribe.

Having been duly adopted and approved, Proposed Amendment D is hereby designated as Amendment No. XIV to the Constitution and By-laws of the Hopi Tribe

CONSTITUTION AND BY-LAWS OF
THE HOPI TRIBE
ARIZONA

CERTIFICATE OF RESULTS OF ELECTION

Under a Secretarial election authorized by Bryan Bowker, Regional Director, Western Region, Bureau of Indian Affairs, on APR 03 2017 the attached Amendment D to the Constitution and By-laws of the Hopi Tribe was submitted to the registered voters of the tribe and on May 25, 2017 duly adopted / rejected by a vote of 340 for and 410 against and 10 cast ballots found spoiled in an election in which at least 30 percent of the 1098 registered voters cast their ballot in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended.


Chair of the Secretarial Election Board


Election Board Member


Election Board Member

Date: May 25, 2017

CERTIFICATE OF APPROVAL

Amendment D, to the Constitution and By-laws of the Hopi Tribe which was adopted by the qualified voters of the Tribe on May 25, 2017, is hereby approved and designated as Amendment XIV pursuant to the authority delegated to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended and re-delegated to me under 3 IAM 4. This approval is effective as of this date; provided that nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal Law.



Regional Director

6/21/17

Date

**CONSTITUTION AND BY-LAWS OF
THE HOPI TRIBE
ARIZONA**

Proposed Amendment E

Article IV – The Tribal Council

Sec. 11., shall be amended to read as follows:

A primary election shall be held on “the second Thursday in September in 2017 and on the second Thursday in September in every fourth year thereafter.”

**Having been duly adopted and approved, Proposed Amendment E is hereby designated as
Amendment No. XV to the Constitution and By-laws of the Hopi Tribe**

CONSTITUTION AND BY-LAWS OF
THE HOPI TRIBE
ARIZONA

CERTIFICATE OF RESULTS OF ELECTION

Under a Secretarial election authorized by Bryan Bowker, Regional Director, Western Region, Bureau of Indian Affairs, on APR 03 2017 the attached Amendment E to the Constitution and By-laws of the Hopi Tribe was submitted to the registered voters of the tribe and on May 25, 2017 duly ~~rejected~~ adopted by a vote of 338 for and 46 against and 7 cast ballots found spoiled in an election in which at least 30 percent of the 1098 registered voters cast their ballot in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended.

Joseph Jones
Chair of the Secretarial Election Board

Wynno Galwa Tsa.
Election Board Member

Winnie Kaping
Election Board Member

Date: May 25, 2017

CERTIFICATE OF APPROVAL

Amendment E, to the Constitution and By-laws of the Hopi Tribe which was adopted by the qualified voters of the Tribe on May 25, 2017, is hereby approved and designated as Amendment XV pursuant to the authority delegated to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended and re-delegated to me under 3 IAM 4. This approval is effective as of this date; provided that nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal Law.



Regional Director

6/8/17

Date

**CONSTITUTION AND BY-LAWS OF
THE HOPI TRIBE
ARIZONA**

Proposed Amendment F

Article IV – The Tribal Council

Sec. 12., shall be amended to read as follows:

The final election shall be held on the second Thursday in November 2017 and on the second Thursday in every fourth year thereafter.

**Having been duly adopted and approved, Proposed Amendment F is hereby designated as
Amendment No. XVI to the Constitution and By-laws of the Hopi Tribe**

CONSTITUTION AND BY-LAWS OF
THE HOPI TRIBE
ARIZONA

CERTIFICATE OF RESULTS OF ELECTION

Under a Secretarial election authorized by Bryan Bowker, Regional Director, Western Region, Bureau of Indian Affairs, on APR 03 2017 the attached Amendment F to the Constitution and By-laws of the Hopi Tribe was submitted to the registered voters of the tribe and on May 25, 2017 duly adopted / rejected by a vote of 341 for and 35 against and 6 cast ballots found spoiled in an election in which at least 30 percent of the 698 registered voters cast their ballot in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended.

Don J. Jones
Chair of the Secretarial Election Board

Chyomagalista
Election Board Member

Miron Kajung
Election Board Member

Date: May 25, 2017

CERTIFICATE OF APPROVAL

Amendment F, to the Constitution and By-laws of the Hopi Tribe which was adopted by the qualified voters of the Tribe on May 25, 2017, is hereby approved and designated as Amendment XVI pursuant to the authority delegated to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended and re-delegated to me under 3 IAM 4. This approval is effective as of this date; provided that nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal Law.



Regional Director

6/21/17
Date

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**CONSTITUTION AND BY-LAWS OF
THE HOPI TRIBE
ARIZONA**

Proposed Amendment G

Article V – Vacancies and Removal From Office

Section 3, third paragraph shall be amended to read as follows:

Vacancies occurring for any reason in the offices of chairman and vice chairman or in the office of any other officer shall be filled for the rest of the term in the same manner as those officers are ordinarily chosen through a Special Election to fill the vacancies of the Chairman, Vice Chairman or both following the Special Election process as stated in Hopi Election Ordinance #34.

**Having been duly adopted and approved, Proposed Amendment G is hereby designated as
Amendment No. XVII to the Constitution and By-laws of the Hopi Tribe**

CONSTITUTION AND BY-LAWS OF
THE HOPI TRIBE
ARIZONA

CERTIFICATE OF RESULTS OF ELECTION

Under a Secretarial election authorized by Bryan Bowker, Regional Director, Western Region, Bureau of Indian Affairs, on APR 03 2017 the attached Amendment G to the Constitution and By-laws of the Hopi Tribe was submitted to the registered voters of the tribe and on May 25, 2017 duly adopted / rejected by a vote of 357 for and 29 against and 5 cast ballots found spoiled in an election in which at least 30 percent of the 698 registered voters cast their ballot in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended.


Chair of the Secretarial Election Board


Election Board Member


Election Board Member

Date: May 25, 2017

CERTIFICATE OF APPROVAL

Amendment G, to the Constitution and By-laws of the Hopi Tribe which was adopted by the qualified voters of the Tribe on May 25, 2017, is hereby approved and designated as Amendment XVII pursuant to the authority delegated to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended and re-delegated to me under 3 IAM 4. This approval is effective as of this date; provided that nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal Law.



Regional Director

6/12/17

Date





United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
HOPI AGENCY
P.O. Box 158
Keams Canyon, AZ 86034



In Reply Refer To:

JUN 06 2017

Memorandum

To: Regional Director
Through:  Superintendent, Hopi Agency
From: Chair of the Secretarial Election Board, Hopi Secretarial Election 
Subject: Hopi Tribe's Secretarial Election

The Hopi Tribe (Tribe) submitted a request for the Secretary of the Interior to call and conduct a Secretarial election on the proposed amendments to the Constitution and By-laws of the Hopi Tribe (Constitution). By resolution H-007-2017, the Tribe submitted seven proposed amendments. The Tribe completed its request February 24, 2017, by submitting the Tribe's eligible voters list which was certified by resolution H-024-2017 by the Tribal Council. On March 15, 2017, a letter Regional Director, Western Region, was provided to the Tribe which outlined concerns regarding the proposed amendments. The Tribe responded March 23, 2017, and stated that they do not wish to revise any of the proposed amendments and wish to continue with the Secretarial election process.

The Regional Director authorized the Superintendent, Hopi Agency to call and conduct the Hopi Secretarial election pursuant to Title 25 Federal Code of Regulations Part 81. The Tribe appointed Miona Kaping, Alfonso Sakeva, and Darrell Kewanwytewa as Tribal representatives to be on the Secretarial Election Board and the Superintendent selected a Chair of the Secretarial Election Board, Sophia Torres, Regional Tribal Operations Specialist. The Superintendent contracted the administrative portion of the election to the Hopi Tribe's Tribal Operations Program. The Tribe, then, contracted with Automated Election Services (AES) to prepare the Election materials i.e.; Registration information packets; Election Packets, voting machines to count ballots and final reports on the election results for posting. Registration packets and ballots were mailed by AES.

The Secretarial Election Board, the Hopi Tribal Operations Program, and the Superintendent's Office met April 7, 2017, for the first meeting to set the Secretarial election schedule and discuss the election process. The date of April 10, 2017, was set to mail out the registration packets; however, the AES was unable to complete the packets by that deadline. The packets were sent out April 13, 2017, and the registration deadline was set for April 26, 2017. There were 10,965 eligible voters; however, the total packets mailed were 10,575. We had 389 eligible voters with no addresses listed on the Eligible Voters List received by the Tribe. Our team decided to post a

list of names of those with no addresses at the local communities so they may request a registration packet from the Hopi Agency or Hopi Tribal Operations Program. We allowed the option of hand delivery or to return the registration by mail. We had 698 eligible voters register.

During the beginning of the Secretarial election process, the Secretarial Election Board worked with the Hopi Tribal Government program to ensure information regarding the Secretarial election was provided to the members in many formats. With the help of the Hopi Tribal Government program, we were successfully able to put information regarding the Secretarial election on the Hopi tribal website, the Hopi Tribe's official newspaper, the Hopi Tutuveni, and posted the information at all the community offices and other locations.

However, we did receive complaints during the registration timeframe from members who called near the deadline of registration stating they did not know a Secretarial election was going on or they would have checked their mail. Some lived too far from the Agency to be able to drop off their registration and would not have enough time to mail one back. We also had calls regarding the language used in proposed Amendment B and the grammatical errors contained in the proposed amendment. We were also asked why there will not be any precinct voting for this election. We referred the members with questions regarding the language in Amendment B to the Tribe for an answer; however, we did provide a response regarding the other questions.

The Superintendent continued to work with the Hopi Tribal Council to correct the typographical errors in the proposed Amendments. As a result, the Hopi Tribal Council provided a letter dated April 25, 2017, which notified the Bureau of Indian Affairs that by motion and unanimous vote the Hopi Tribal Council approved to amend the language to the proposed Amendment B and E as presented by the BIA, Hopi Agency Superintendent by letter April 12, 2017. This approval corrected grammatical errors to proposed amendments B and E. The Regional Director by memorandum dated April 28, 2017, approved changes be made by the Secretarial Election Board to reflect the grammatical error corrections. This was completed before the ballot packets were mailed out.

We posted the Registered Voters List April 26, 2017, and challenges to this list were due May 3, 2017. There were no challenges to the Registered Voters List.

AES mailed out the 698 ballot packets to the registered voters, May 5, 2017. The ballots were due to the Hopi Agency by 4:00 p.m. May 25, 2017.

The Secretarial Election Board, Agency personnel, and the Hopi Tribal Operations Program were present on the last day for registered voters to submit ballots which had to be received by 4:00 p.m. by May 25, 2017. We accepted mailed ballots or hand delivered ballots.

Below is a breakdown of the results of the Hopi Secretarial election:

Proposed Amendment	Total Registered Voters	Voted For	Voted Against	Total Ballots Spoiled	Percentage Participation
A	698	296	90	6	56%
B	698	322	64	6	56%
C	698	358	28	5	56%
D	698	340	46	6	56%
E	698	338	46	7	56%
F	698	341	35	6	55%
G	698	357	29	5	56%

All proposed amendments passed by a high margin and the percentage participated exceeded the 30% participation requirement of those who registered to vote. We had some issues with AES and their voting tabulator machines and had to count the majority of the ballots by hand. Thanks to the members of the Secretarial Election Board and the Hopi Agency staff who completed the final tabulation.

We posted the results of the Secretarial election the same day and to other locations the day after the election, including the Tribe's official website. The last day to challenge the election was May 30, 2017 at 4:00 p.m. No challenges were filed on the results of the Secretarial election.

We are submitting the following for appropriate action:

- 1) The original text of the material voted on;
- 2) The Eligible Voter's List;
- 3) The Secretarial Election Notice Packet;
- 4) The original completed Certificate of Results of Election; and
- 5) This written report on the Secretarial election activities

If you have any questions, please contact the Superintendent at (928) 738-2228 or at the address above.

Attachments

cc: Superintendent, Hopi Agency w/o attachments
 Hopi Tribal Operations Program w/o attachments