



June 30, 2009

Dear Tribal Members:

The Constitution Reform Committee has been hard at work planning for the development of our new Constitution. As you may know, The Kaw Nation has been awarded a grant from the Administration for Native Americans (ANA) from the United States Department of Health and Human Services for the purpose of revising our constitution. The committee has and will continue to solicit comments from tribal members to guide them in their endeavor to rewrite the Constitution.

In this newsletter you will find information about our membership numbers, upcoming meetings and trainings. We have developed a website with up-to-date information and hope that you will review it at [www.kawcrp.com](http://www.kawcrp.com).

If you have comments, please send them to the Constitution Reform Project Coordinator, Aaron Carlson at [acarlson@kawnation.com](mailto:acarlson@kawnation.com), or you can reach him at 580-269-2552 or 866-404-5297.

We expect this process to take a couple of years, but we are committed to using this opportunity as provided by the ANA to make our Nation stronger for future generations.

Sincerely,

A handwritten signature in black ink, appearing to be "Guy Munroe", with a long horizontal flourish extending to the right.

Guy Munroe  
Chairman and CEO

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### History of the Government of the Kaw Nation Since 1902

The Kaw Allotment Act of July 1, 1902, abolished the Kaw Nation. The Act provided approximately 400 acres of land under government trusteeship to 249 persons whose names were placed on the final allotment rolls. What was left of the tribe went through a period of weak leadership. In the 1920s, Lucy Tayiah-Eads was elected chief and attempted to gain recognition from the Federal Government. However, these requests were said to be contrary to the Allotment Agreement and denied. In 1951, a settlement was released to the tribe, and money was set aside to protect the cemetery. This led to the creation of a six-member Kaw Cemetery Association. In 1955, the General Services Administration of the United States Government sold the land where the Kaw Agency stood. The old council house which stood on 96/100 acre plot was repainted for the tribe. These actions led to the formation of the Kaw Business Committee.

In 1958, under the direction of the Pawnee Indian Agent and Anadarko Area Director, notices of a meeting to draft by-laws and a Constitution were sent to the Kaw people. This meeting took place on October 8th, and had approximately 150 people in attendance. This recommendation was adopted by a majority vote at the meeting and approved by the Secretary of the Interior on July 23, 1959. From this time until the mid 1970s, the Nation went through a period of internal disagreement. The 1958 resolution was the governing document of the tribe until 1990.

In 1990, the tribe adopted the current constitution. At the March 2000 General Council meeting, the need to amend the Kaw Constitution was addressed and the Constitution Committee was established. Over the next year the committee held meetings, sent out a survey, and provided a list of recommended changes to the Executive Council. The Executive Council considered the changes and voted

against sending them to the General Council for ratification. Shortly thereafter, the committee was basically disbanded.

The Committee was revitalized in January 2005. The Executive Council approved and sent to the General Council for ratification the only amendment adopted in 2004. It was agreed to by a vote of the General Council in 2006. This amendment removed the Secretary of the Interior's approval of any future amendments to the Constitution. The Constitution Committee held a training session with Falmouth Institute in April of 2008. At this training, amendments were discussed and it was decided that additional work was going to be needed to complete a revision of the Constitution. The Kaw Nation then applied for and was awarded a grant from the Administration for Native Americans (ANA) from the United States Department of Health and Human Services in 2008 for the purpose of revising their constitution. This is a three-year grant and the purpose is to revise not only the Constitution, but to revise policies and procedures of the Kaw Nation.

References: The Kaw People by William Unrau and General Council minutes of the Kaw Nation.

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### **Constitution Committee Mission and Purpose**

The mission of the Constitution Committee is to provide and select the optimal approach to work as a volunteer committee for the General Council to evaluate, clarify, and amend the current 1990 Constitution of the Kaw Nation to increase effectiveness and to promote awareness of the Constitution.

The purpose of the Committee is to provide input, guidance, and to facilitate the Constitution Reform Process and completion of the revisions of the Kaw Nation Constitution, Kaw Nation by-laws, ordinances, codes or policies and procedures of Kaw Nation tribal government commissions, boards, and committees. Further, the purpose of the Committee is to ensure proper representation and education of tribal members in the Constitution Reform Process to bring forth sustainable tribal government for future generations of the Kaw Nation.

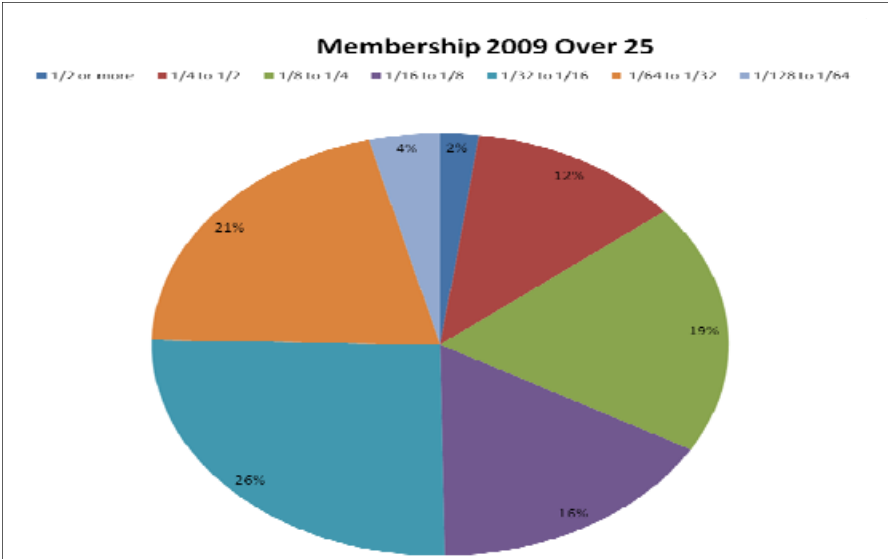
## The Kaw Nation Issue of Blood Quantum

The Kaw Nation Constitution which was adopted in 1990, calls for membership in the tribe to be determined by lineage based upon the 1902 allotment roll. Today, the Kaw Nation has over 3,000 enrolled members. These members range from infancy to members over 100 years of age. While we are different from other tribes that base their membership on degree of blood (known as blood quantum), a persons' blood degree will play a major role in the drafting of a new constitution.

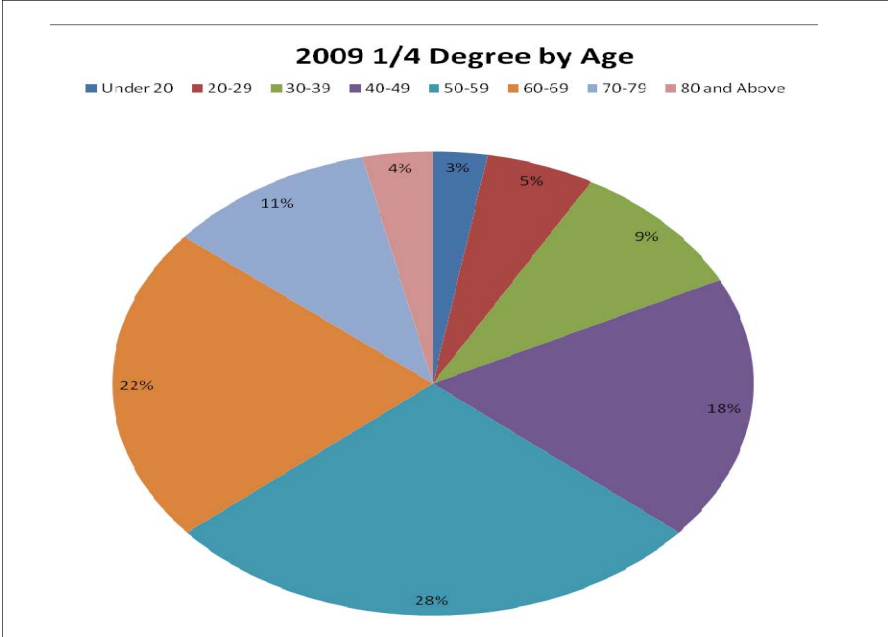
In Article II, Section 3, of the Kaw Constitution, it states that in order to serve on the Executive Council, one must be one-fourth (1/4) degree or more of Kaw Indian Blood, be 25 years of age, and not have been convicted of a felony or other crime involving moral turpitude. The committee believes this degree of blood will be one of the most controversial of all issues as we proceed to rewrite our constitution. The purpose of this article is to provide the membership numbers and associated blood quantum for the Kaw Nation.

Currently, there are just over 3,000 enrolled members of the Kaw Nation. Of these members, there are 1,753 members of the tribe who are over the age of 25, which is one of the requirements to serve on the Executive Council. The other 1,300 members of the tribe are under the age of 25. First, we will concentrate on the blood quantum of those over the age of 25, and then look at the blood quantum for those under the age of 25.

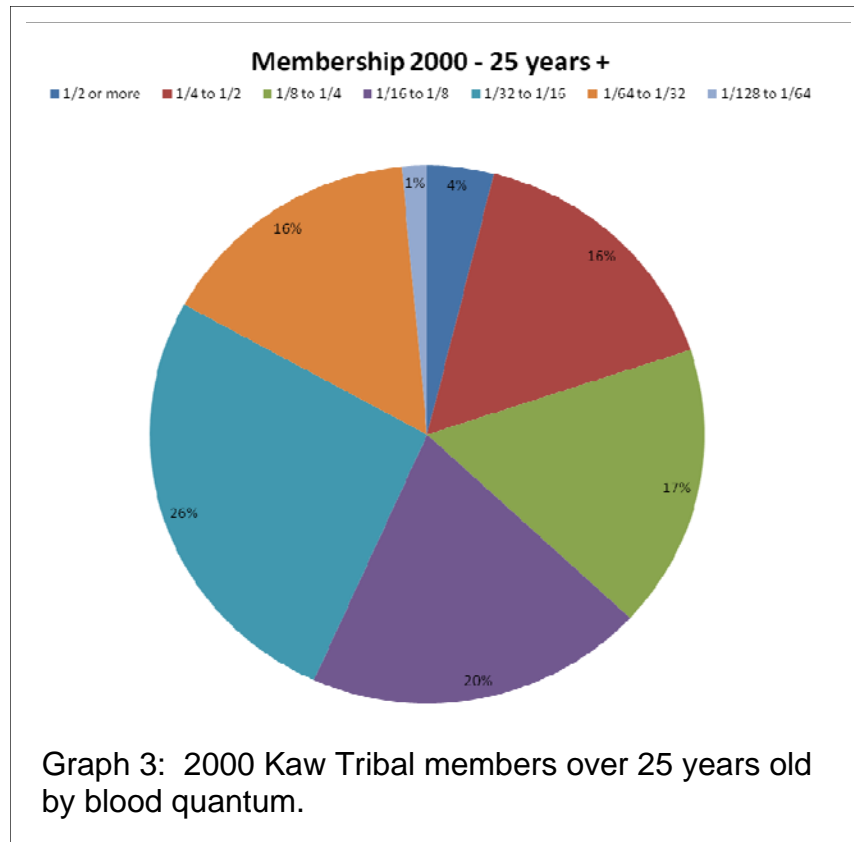
When we closely examined the approximately 1,750 members of the tribe over the age of 25, we discovered only a fraction of these are eligible to hold office under the current Kaw Constitution. Graph 1 shows that 14% (or 248 people) of the tribe are eligible to seek office within Kaw Nation due to the blood degree requirement. If we look at the issue of blood degree first, we see that the average age of a quarter blood is nearly 55 years old (Graph 2).



Graph 1: 2009 Kaw Tribal members over 25 years old by blood quantum.



Graph 2: 2009 Kaw Tribal quarter bloods by age.



It should be stated that nationally the life expectancy at birth is 5 years shorter for American Indians than it is for whites.

When we look at the tribes historical data, we can see that this number is expected to decrease given current trends. In 1990, the tribe was smaller (1,367 members were over the age of 25), and Graph 3 shows that 20% (or 272 people) of those over 25 were eligible to seek office. Over the last nine years, we saw the tribes over 25 population increase by over 25%, but those of a quarter blood decrease by 10%. While this is of concern, it does not compare with the blood quantum of the under 25 population.

Currently, the number of enrolled Kaw members under the age of 25 who are at least one-fourth (1/4) degree of Kaw blood or more is seven, and the youngest is five years of age. There are no members of the tribe that are

under 25, and over a one-fourth degree of blood. Historical data from 1990 is not available on tribal members under the age of 18.

Additional issues that must be considered are residency, average mortality rates for the tribe, and rate of dilution of blood. While the tribe does not have a residency requirement, it is necessary for elected officials to attend meetings at least once a month. While we know that Native Americans are more likely to die at a lower age than their white counterparts, exact data on average age of death for Kaw members does not exist. Finally, unless tribal members intermarry within the tribe, the blood degree will drop (by half) with every new generation. The committee believes that it is necessary to make changes to the requirements for serving on the Executive Council.

In conclusion, the Constitution Committee has received requests to make changes to the requirements to run for the Executive Council. They have talked about lowering the required degree to a yet to be determined amount, setting it based upon a moving scale, and removing any requirement other than being a tribal member. The committee understands the complexity of this decision and needs your input. Please feel free to send your comments to the committee at [www.kawcrp.com](http://www.kawcrp.com)

#### **UPCOMING EVENTS**

**July 22 - Committee Meeting  
4 p.m. in Kanza Museum.**

**August 1 or 2: Public Forum  
at Kaw Pow Wow  
Exact Date and Time  
to be determined.**

**Check out  
[www.kawcrp.com](http://www.kawcrp.com)  
for more information**