

United States  
Department of the Interior  
Bureau of Indian Affairs

**Corporate Charter**  
of the  
**CONFEDERATED TRIBES**  
OF THE  
**WARM SPRINGS RESERVATION**  
**OF OREGON**

RATIFIED APRIL 23, 1938

**CORPORATE CHARTER OF THE  
CONFEDERATED TRIBES OF  
THE WARM SPRINGS RESERVATION OF OREGON  
  
A FEDERAL CORPORATION CHARTERED UNDER  
THE ACT OF JUNE 18, 1934**

Whereas, the Confederated Tribes of the Warm Springs Reservation of Oregon are a recognized Indian tribe organized under a constitution and by-laws ratified by the members of the Confederated Tribes on December 18, 1937, and approved by the Assistant Secretary of the Interior on February 14, 1938, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378); and

Whereas, more than one-third of the adult members of the Confederated Tribes have petitioned that a charter of incorporation be granted to said Confederated Tribes, subject to ratification by a vote of the adult Indians living on the reservation;

Now, therefore, I, Oscar L. Chapman, Assistant Secretary of the Interior, by virtue of the authority conferred upon me by the said act of June 18, 1934 (48 Stat. 984), do hereby issue and submit this Charter of Incorporation to the Confederated Tribes of the Warm Springs Reservation of Oregon to be effective from and after such time as it may be ratified by a majority vote of the adult Indians living on the reservation at an election in which at least 30 per cent of the eligible voters vote.

*Corporate  
Existence.*

1. In order to further the economic development of the Confederated Tribes of the Warm Springs Reservation of Oregon by conferring upon the said Confederated

Tribes certain corporate rights, powers, privileges and immunities; to secure for the members of the Confederated Tribes an assured economic independence; and to provide for the proper exercise by the Confederated Tribes of various functions heretofore performed by the Department of the Interior, the aforesaid Confederated Tribes are hereby chartered as a body politic and corporate of the United States of America, under the corporate name "The Confederated Tribes of the Warm Springs Reservation of Oregon."

*Perpetual  
Succession.*

2. The Confederated Tribes shall, as a Federal corporation, have perpetual succession.

*Membership.*

3. The Confederated Tribes shall be a membership corporation. Its members shall consist of all persons now or hereafter members of the Confederated Tribes, as provided by its duly ratified and approved constitution and by-laws.

*Management.*

4. The Tribal Council established in accordance with the said constitution and by-laws of the Confederated Tribes, shall exercise all the corporate powers hereinafter enumerated.

*Corporate  
Powers.*

5. The Confederated Tribes, subject to any restrictions contained in the Constitution and laws of the United States, or in the Constitution and By-Laws of the said Confederated Tribes, shall have the following corporate powers, in addition to all powers already conferred or guaranteed by

the Tribal Constitution and By-Laws:

- (a) To adopt, use, and alter at its pleasure a corporate seal.
- (b) To purchase, take by gift, bequest, or otherwise, own, hold, manage, operate, and dispose of property of every description, real and personal, subject to the following limitations:
  - (1) No sale or mortgage may be made by the Confederated Tribes of any land, or interests in land, including water power sites, now or hereafter held by the Confederated Tribes.
  - (2) No mortgage may be made by the Confederated Tribes of any standing timber on any land now or hereafter held by the Confederated Tribes within the boundaries of the Warm Springs Reservation.
  - (3) No leases, permits (which terms shall not include land assignments to members of the Confederated Tribes) or timber-sale contracts covering any land or interests in land now or hereafter held by the Confederated Tribes within the boundaries of the Warm Springs Reservation shall be made by the Confederated Tribes for a longer term than ten years, and all such leases, permits, or contracts must be approved by the Secretary of the Interior or by his duly authorized representative; but mineral leases



or any leases requiring substantial improvements of the land may be made for longer periods when authorized by law. Power sites may be leased with the consent of a majority of the voters of the Confederated Tribes voting at an election in which at least 30 per cent of the eligible voters vote.

- (4) Every action shall be taken by and in behalf of the Confederated Tribes which may operate to prevent destruction or injury to tribal grazing lands, timber, or other natural resources of the Warm Springs Reservation. All leases, permits and timber-sale contracts relating to the use of tribal grazing or timber lands shall conform to regulations of the Secretary of the Interior authorized by Section 6 of the Act of June 18, 1934, with respect to range carrying capacity, sustained yield forestry management, and other matters therein specified. Conformity to such regulations shall be made a condition of any such lease, permit, or timber sale contract, whether or not such agreement requires the approval of the Secretary of the Interior, and violation of such condition shall render the agreement revocable, in the discretion of the Secretary of the Interior.
- (c) To issue interests in corporate property in exchange for restricted Indian lands, the

forms for such interests to be approved by the Secretary of the Interior.

- (d) To borrow money from the Indian Credit Fund in accordance with the terms of Section 10 of the Act of June 18, 1934 (48 Stat. 984), or from any other governmental agency, or from any member or association of members of the Confederated Tribes, and to use such funds directly for productive tribal enterprises, or to loan money thus borrowed to individual members or associations of members of the Confederated Tribes: Provided, That the amount of indebtedness to which the Confederated Tribes may subject itself, aside from loans from the Indian Credit Fund, shall not exceed \$25,000.00, except with the express approval of the Secretary of the Interior.
- (e) To engage in any business that will further the economic well-being of the members of the Confederated Tribes, or to undertake any activity of any nature whatever, not inconsistent with law or with any provisions of this Charter.
- (f) To make and perform contracts and agreements of every description, not inconsistent with law or with any provisions of this Charter, with any person, association, or corporation, with any municipality or any county, or with the United States or the State of Oregon, including agreements with the State of Oregon for the rendition of public services; Provided, That all contracts involving payment of money by the corporation in excess of \$2,500.00 in any

one fiscal year shall be subject to the approval of the Secretary of the Interior or his duly authorized representative, and shall be subject to the restrictions contained in Article V, Section (t) of the Constitution.

- (g) To pledge or assign chattels or future tribal income due or to become due to the Confederated Tribes: Provided, That assignments of tribal income, other than an assignment to the United States, shall not extend more than ten years from the date of execution and shall not amount for any one year to more than \$25,000.00: And, provided further, That any such pledge or assignment shall be subject to the approval of the Secretary of the Interior or his duly authorized representative.
- (h) To deposit corporate funds, from whatever source derived, in any National or State bank to the extent that such funds are insured by the Federal Deposit Insurance Corporation, or secured by a surety bond, or other security, approved by the Secretary of the Interior; or to deposit such funds in the postal savings bank or with a bonded disbursing officer of the United States to the credit of the Confederated Tribes.
- (i) To sue and to be sued in courts of competent jurisdiction within the United States; but the grant or exercise of such power to sue and to be sued shall not be deemed a consent by the Confederated Tribes or by the United States to the levy of any judgment, lien, or attachment upon the

property of the Confederated Tribes other than income or chattels specially pledged or assigned.

- (j) To exercise such further incidental powers, not inconsistent with law, as may be necessary to the conduct of corporate business.

*Termination of Supervisory Powers.*

- 6. Upon request by the Tribal Council for the termination of any supervisory power reserved to the Secretary of the Interior under Sections 5 (b) Powers. (3), 5 (c), 5 (d), 5 (f), 5 (g), 5 (h), and Section 8 of this Charter, the Secretary of the Interior, if he shall approve such request, shall thereupon submit the question of such termination for ratification by the Confederated Tribes. The termination shall be effective upon ratification by a majority vote of the adult members of the Confederated Tribes residing on the reservation, at an election in which at least 30 per cent of the eligible voters vote. If at any time after ten years from the date of approval of this Charter, the Secretary shall disapprove a request for the termination of any such power, or fail to approve or disapprove it within 90 days after its receipt, the question of its termination may then be submitted by the Secretary or by the Tribal Council to popular referendum of the adult members of the Confederated Tribes actually living within the reservation, and if the termination is approved by two-thirds of the eligible voters it shall be effective.

*Corporate*

- 7. No property rights of the Confederated

*Property.*

Tribes of the Warm Springs Reservation shall be in any way impaired by anything contained in this Charter, and the tribal ownership of unallotted lands, whether or not assigned to the use of any particular individuals, is hereby expressly recognized. The individually owned property of members of the Confederated Tribes shall not be subject to any corporate debts or liabilities without such owners' consent. Any existing lawful debts of the Confederated Tribes shall continue in force, except as such debts may be satisfied or canceled pursuant to law.

*Corporate  
Dividends.*

8. The Confederated Tribes may issue to each of its members a non-transferable certificate of membership evidencing the equal share of each member in the assets of the tribe and may distribute per capita, among the recognized members of the Confederated Tribes, all profits of corporate enterprises over and above sums necessary to defray corporate obligations to members of the Confederated Tribes or to other persons and over and above all sums which may be devoted to the establishment of a reserve fund, the construction of public works, the costs of public enterprises, the expenses of tribal government, the needs of charity, or other corporate purpose. Any such distribution of profits in any one year amounting to a per capita cash payment of \$100 or more, shall not be made without the approval of the Secretary of the Interior.

*Corporate  
Accounts.*

9. The officers of the Confederated Tribes shall maintain accurate and complete pub-

lic accounts of the financial affairs of the Confederated Tribes, which shall clearly show all credits, debts, pledges, and assignments, and shall furnish an annual balance sheet and report of the financial affairs of the Confederated Tribes to the Commissioner of Indian Affairs.

*Amendments.* 1 0. This Charter shall not be revoked or surrendered except by Act of Congress, but amendments may be proposed by resolution of the Tribal Council which, if approved by the Secretary of the Interior, shall be effective when ratified by a majority vote of the adult members living on the reservation at a popular referendum in which at least 30 per cent of the eligible voters vote.

*Ratification .* 1 1. This Charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the Confederated Tribes living on the Warm Springs Reservation in Oregon, provided at least 30 per cent of the eligible voters shall vote, such ratification to be formally certified by the Superintendent of the Warm Springs Agency and the President and Secretary of the Tribal Council.

Submitted by the Assistant Secretary of the Interior for ratification by the Confederated Tribes of the Warm Springs Reservation in Oregon.

OSCAR L. CHAPMAN  
Assistant Secretary of the Interior.  
(Seal)

Washington, D.C., March 31, 1938.

## **CERTIFICATION**

Pursuant to Section 17 of the Act of June 18, 1934 (48 Stat. 984) this Charter, issued on March 31, 1938, by the Assistant Secretary of the Interior to the Confederated Tribes of the Warm Springs Reservation, was duly submitted for ratification to the adult members residing within the Reservation and was on April 23, 1938, duly ratified by a vote of 180 for and 62 against, in an election in which over 30 per cent of those entitled to vote cast their ballots.

**GEORGE MEACHEM,**  
President of the Tribal Council.  
**HAROLD V. LEWIS,**  
Secretary of the Tribal Council.

**J. W. ELLIOTT,**  
Superintendent of the Warm Springs Agency.

**AMENDMENT  
CORPORATE CHARTER  
OF THE  
CONFEDERATED TRIBES  
OF THE  
WARM SPRINGS RESERVATION  
OF OREGON**

**AMENDMENT 1**

Section 5 (b)(3) shall be amended to read:

"No leases or permits (which term shall not include land assignments to members of the Confederated Tribes) covering any land or interests in land now or hereafter held by the Confederated Tribes within the boundaries of the Warm Springs Reservation shall be made by the Confederated Tribes for a longer term than ten years, and all of such leases or permits must be approved by the Secretary of the Interior or by his duly authorized representative; but mineral leases or leases requiring substantial improvements of the land, or timber sale contracts, may be made for longer periods when authorized by law. Power sites may be leased with the consent of a majority of the voters of the Confederated Tribes voting at an election in which at least 30 per cent of the eligible voters vote."

This Amendment having been proposed by Resolution No.80 enacted by the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon on September 29, 1941, is here with approved and submitted for ratification by the adult members of the Tribes living on the Warm Springs Reservation



vation in accordance with Section 10 of the Corporate Charter of the Tribes and pursuant to the authority vested in the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984).

Approval recommended: Oct. 11, 1941

WALTER V. WOHLKE  
Assistant to the Commissioner of Indian Affairs.

OSCAR L. CHAPMAN  
Assistant Secretary

SEAL

Washington, D.C., Nov. 24, 1941

Warm Springs Indian Agency.  
Warm Springs, Oregon  
December 19, 1941

We, the undersigned members of the Confederated Tribes of the Warm Springs Reservation, Warm Springs, Oregon, who, by Resolution No. 86 of the Tribal Council, dated Dec. 2, 1941, were appointed as judges to conduct an election of the eligible voters of the Confederated Tribes to be held on Dec. 19, 1941, for the purpose of voting on Amendment No. 1 to the Tribal Charter, hereby certify that we have conducted the said election as instructed, and certify the results of the voting, based on a careful count of the ballots cast, to be as follows:

	No. of ballots in favor of Amendment.	No. of ballots against Amendment
Agency Sidwalder Flat and Seekseequa Districts,	101	12
Simnasho District,	<u>57</u>	<u>5</u>
Total	158	17

It is further certified that there are a total of 333 voters residing on the reservation, and that the ballots cast represent more than 30 per cent of the eligible voters.

J. W. Elliott  
Superintendent

James Scott  
Walter Miller  
Eva Seymore Brunoe  
Isaac McKinley

**AMENDMENT  
CORPORATE CHARTER  
CONFEDERATED TRIBES OF THE WARM SPRINGS  
RESERVATION  
OREGON**

**Amendment II**

Section 5 (b) (3) shall be amended to read:

No leases or permits (which term shall not include land assignments to members of The Confederated Tribes) covering any land or interests in land now or hereafter held by the Corporation shall be made by the Corporation for a longer term than permitted by law and all such leases or permits must be approved by the Secretary of the Interior or by his duly authorized representative. Power sites may be leased with the consent of a majority of the voters of The Confederated Tribes voting at an election in which at least 30 per cent of the eligible voters vote.

**CERTIFICATION OF RATIFICATION**

Pursuant to Section 17 of the act of June 18, 1934 (48 Stat. 984), the attached Amendment issued on November 19, 1958, by Roger Ernst, Assistant Secretary of the Interior, to the Corporate Charter of The Confederated Tribes of the Warm Springs Reservation Oregon, was duly submitted for ratification to the adult members of the Tribes living on the reservation, and was on April 25, 1959, duly ratified by a vote of 143 for, and 109 against, in an election in which at least thirty per cent of those entitled to vote cast their ballots.

(signed) AVEX D. MILLER  
Chairman, Warm Springs Tribal Council

(signed) VERNON JACKSON  
Secretary, Warm Springs Tribal Council

(signed) A. W. GALBRAITH  
Superintendent, Warm Springs Agency

## A P P R O V A L

I, Fred G. Aandahl, Assistant Secretary of the Interior of the United States of America, do hereby approve the attached Amendment II to the Corporate Charter of the Confederated Tribes of the Warm Springs Reservation of Oregon.

Approval recommended:  
(signed) H. REX LEE  
Acting Commissioner of Indian Affairs

(signed) FRED G. AANDAHN  
Assistant Secretary of the Interior  
(SEAL)

June 22, 1959, Washington, D.C

## CERTIFICATION OF RATIFICATION

Pursuant to an election authorized by the Commissioner of Indian Affairs on December 16, 1966, the attached Amendment III to the Corporate Charter of the Confederated Tribes of the Warm Springs Reservation of Oregon, was submitted to the adult members of the reservation and was on January 9, 1967, duly ratified by a vote of 162 for, and 106 against, in an election in which at least 30 per cent of the 428 members entitled to vote cast their ballots in accordance with Section 17 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

DOYCE L. WALDRIP  
Chairman, Election Board

FERN BEGAY  
Election Board Member

EDWIN SCOTT  
Election Board Member

I, Fred G. Aandahl, Assistant Secretary of the Interior of the United States of America, do hereby approve the attached Amendment II to the Corporate Charter of the Confederated Tribes of the Warm Springs Reservation of Oregon.

**Approval recommended:**

(signed) H. REX LEE  
Acting Commissioner of Indian Affairs

(signed) FRED G. AANDAHL  
Assistant Secretary of the Interior  
(SEAL)

June 22, 1959  
Washington, D.C.

**AMENDMENT  
CORPORATE CHARTER  
OF THE  
CONFEDERATED TRIBES  
OF THE  
WARM SPRINGS RESERVATION  
OF OREGON**

**AMENDMENT III**

A new Section 12 to the Corporate Charter shall be added to read as follows:

12. The general membership of the Confederated Tribes may by referendum duly called vote to establish one or more business enterprises under this section. Each enterprise so established shall be limited in its aggregate investment to the amounts authorized by the membership in its referendum vote: Provided, however, net revenues of such enterprise may be appropriated with the approval of the Secretary of the Interior for capital additions and improvements to the enterprise. The Board of Directors or other directing body of such enterprise shall exercise, in addition and supplemental to the powers enumerated in subsections (d), (f), (g) and (h) of Section 5, the following powers.

(1) To operate under a Plan of Operations approved for and on behalf of the Corporate Tribe by the Tribal Council, and by the Secretary of the Interior, and within the limitations of said approved Plan of Operations.

(a) To make and perform contracts of any description relating to such enterprise which shall be binding upon the Confederated Tribes in

accordance with the terms thereof: Provided, such contracts are within the authority of the Plan of Operations.

(signed) H. REX LEE  
Acting Commissioner of Indian Affairs

(signed) FRED G. AANDAHL  
Assistant Secretary of the Interior  
(SEAL)

June 22, 1959  
Washington, D.C.

- (b) To pledge as security for repayment of liens, encumber or expend the revenues and income due or to become due to the enterprise without restriction as to term or amount: Provided, that such pledge of future revenues and income shall be subject to the approval of the Secretary of the Interior, and provided further that such pledge of future revenues and income shall be within the authority of the Plan of Operations.
  - (c) To borrow money in such amounts as may be required to establish and operate such enterprise: Provided, however, that such borrowing shall be within the authority of the approved Plan of Operations.
- (2) In the exercise of any of the rights, powers, and privileges conferred upon the enterprise, the Board

of Directors or other directing body shall act in its own name for and on behalf of the Confederated Tribes of the Warm Springs Reservation of Oregon as chartered and incorporated under Section 17, of the Act of June 18, 1934 (48 Stat. 988).

This amendment is herewith approved and submitted for ratification by the adult members of the Confederated Tribes of the Warm Springs Reservation of Oregon, in accordance with Section 10 of the Corporate Charter of the Confederated Tribes, and pursuant to the authority vested in the Secretary of the Interior by the Act of June 18, 1934, (48 Stat. 984), as amended.

Approval recommended:

Commissioner of Indian Affairs

CHARLES F. LUCE  
Under Secretary of the Interior  
(SEAL)

Washington, D.C.  
Date: Dec. 16, 1965

(signed) H. REX LEE  
Acting Commissioner of Indian Affairs

(Signed) FRED G. AANDAHL  
Assistant Secretary of the Interior  
(SEAL)

June 22, 1959  
Washington, D.C.



**AMENDMENT  
CORPORATE CHARTER  
OF THE  
CONFEDERATED TRIBES OF THE  
WARM SPRINGS RESERVATION  
OREGON**

**AMENDMENT IV**

Section 5 (b) (1) shall be amended to read:

No sale or mortgage may be made by the Confederated Tribes of any land, or interest in land, including water power sites, now or hereafter held by the Confederated Tribes, except that any land or interests in land located outside the boundaries of the Warm Springs Reservation may be sold or exchanged by the Confederated Tribes.

**APPROVAL**

I, W. L. ROGERS, Deputy 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 by the Act of June 15, 1935 (49 Stat. 376), do hereby approve the foregoing Amendment IV to the Corporate Charter of the Confederated Tribes of the Warm Springs Reservation of Oregon.

Approval Recommended:

Acting Director of Community Services

Deputy Assistant Secretary of the Interior

Washington, D.C.

Date: May 1,