

Kiowa Tribe

Kiowa Indian Council (KIC)

Date: June 21, 2025

Red Buffalo Hall, Carnegie, OK

Resolution Number: KIC-CY-0008-2025

Date Submitted: 05/07/2025 Date Posted: 05/22/2025 Date Approved:

SUBJECT: A Resolution Proposing the “**KIC-starter Amendment**” to the Kiowa Tribe Constitution to (1) Clarify Application & Publication Deadlines for KIC Coordinator Selection, (2) Establish a Vacancy Clause for the KIC Coordinator, and (3) Create a Backup Mechanism for Calling KIC Special Meetings

WHEREAS: The KIC and its collective Tribal Members of the Kiowa Tribe in practicing its Constitutional right organized under the Constitution approved by Tribal Membership on April 17, 2017, and approved by the Secretary of the Interior, U.S. Bureau of Indian Affairs on May 5, 2017; and

WHEREAS: Article V, Section 3(b) of the Constitution “The Council shall have the following powers; provided, that no such action of the Council shall become effective until the voters approve such matter in a subsequent election”; and

WHEREAS: In accordance with Article V, Section 3(b); “(i) The Council shall have the power to set policy for the Tribe; (ii) The Council shall have the Power to authorize the Chairman to enter into treaties, compacts, or contracts, and such authorization may include the power to waive Sovereign Immunity; (iii) The Council shall have the power to initiate the process to amend the Constitution by voting to call a Special Election to place before the voters the text of a proposed amendment along with the question of whether such proposed amendment should be placed before the voters in a subsequent Special Election to be held within one year and following the requirements of Article XIV of this Constitution”; and

WHEREAS: In accordance with the requirements and powers granted under Article V-Kiowa Indian Council, Section 3 Reserved Powers. We, the [Kiowa] people of the Kiowa Tribe pursuant to our inherent sovereignty and under the guidance of Dàu:k’í (God), seek to improve, promote, and maintain our [Kiowa] language, culture, traditions, and the independence of our [Kiowa] people, to guarantee individual rights and freedom of religion, to preserve our right of self-government, to promote the social and economic welfare of our [Kiowa] members, and to utilize, increase, and protect our [Kiowa] tribal resources, maintain peace and order, and safeguard individual rights, do hereby establish and submit the following resolution; and

WHEREAS: The Kiowa Tribe (“Tribe”) adopted a Constitution that establishes the Kiowa Indian Council (“KIC”) as a separate branch of tribal government and provides for a part-time KIC Coordinator under Article V, Section 2(a); and

WHEREAS: Article V, Section 2(a) creates the office of a part-time KIC Coordinator and states that the Coordinator may be selected "at the Annual Meeting of the Council or at a Special Meeting of the Council as needed," but the subsequent sentences reference only the "Annual Meeting," thereby creating ambiguity regarding the application and publication deadlines when a Coordinator is selected at a Special Meeting; and

WHEREAS: Article V, Section 4(b) currently requires the Coordinator to call and publish notice of any Special Meeting requested by six (6) Legislators or a petition of at least four hundred (400) adult KIC members, but the Constitution does not set forth a process if the Coordinator’s office is vacant, incapacitated, or fails to act; and

WHEREAS: The absence or inaction of a Coordinator can create a procedural deadlock, preventing the KIC from convening, exercising its reserved powers, or filling the vacancy in a timely manner; and

WHEREAS: The KIC desires to ensure continuity of governance, preserve transparency, and avoid future delays by establishing a clear vacancy clause and an alternative method for calling Special Meetings when the Coordinator is unable or unwilling to perform those duties;

NOW THEREFORE BE IT RESOLVED; that the Kiowa Indian Council hereby proposes the following amendment to the Kiowa Tribe Constitution (referred to as the “**KIC-starter Amendment**”) and directs that it be submitted to the tribal electorate for ratification in accordance with the Constitution:

Proposed Amendment Language

a. Clarification of Application & Publication Deadlines for Coordinator Selection

Amend Article V, Section 2(a) (third and fourth sentences) to remove the ambiguity between Annual and Special meetings as follows (additions in *italics*, deletions in ~~strike-through~~):

“Members of the Tribe interested in serving in the position of Coordinator shall submit an application to the Chairman at least sixty days prior to the ~~Annual~~ Meeting of the Council *at which the Coordinator is to be selected*. The Chairman shall publish all applications for Coordinator at least thirty days prior to the ~~Annual~~ *respective* Meeting of the Council.”

b. Vacancy Clause

Add a new subsection Article V, Section 2(c) entitled “Vacancy in Office of the KIC Coordinator”:

“(c) Vacancy in the Office of the KIC Coordinator.

(i) If the office of the KIC Coordinator becomes vacant for any reason, including resignation, removal, permanent incapacity, or death, the Legislature shall appoint a qualified Interim Coordinator within thirty (30) days of the vacancy.

(ii) The Interim Coordinator shall exercise all powers and duties of the KIC Coordinator, including calling and publishing notices of Kiowa Indian Council Meetings, until a permanent Coordinator is selected.

(iii) A permanent Coordinator may be chosen either (1) at the next Annual Meeting, or (2) at a Special Meeting convened solely for that purpose, in each case following the application and notice procedures set forth in Article V, Section 2(a).

(iv) Applicants for the permanent position at such Special Meeting shall comply with the same submission and publication time frames required for the Annual Meeting, unless otherwise provided by law.

(v) The Interim Coordinator shall serve until the newly elected Coordinator assumes the duties of the office.”

c. Backup Authority to Call Special Meetings

Amend Article V, Section 4(b) by adding the following paragraph at the end of the subsection:

“If the Coordinator fails to issue notice of the Special Meeting within ten (10) days after receipt of a valid request made in accordance with this Section, the Legislature shall have authority to call and publish notice of such Special Meeting in accordance with this Section. Any reference in this Constitution to the ‘Coordinator’ calling a Special Meeting shall be deemed to include the Legislature acting under this provision.”

d. Renumbering and Conforming Amendments

The articles, sections, and subsections of the Kiowa Tribe Constitution are hereby renumbered or reformatted as necessary to incorporate this Amendment in a consistent manner.

BE IT FURTHER RESOLVED that this resolution, presented at a Special Meeting of the Kiowa Indian Council held and approved by majority vote and that no such action of the Council shall become effective until the voters approve such matter in a subsequent election; shall initiate the process to amend the Constitution by voting to call a Special Election to place before the voters the text of the proposed amendment along with the question of whether such proposed amendment should be placed before the voters in a subsequent Special Election to be held within one year and following the requirements of Article XIV of this Constitution.

(2025) KIOWA INDIAN COUNCIL SPECIAL MEETING OF THE KIOWA TRIBE

Chairperson

ATTEST: _____

Secretary,

Kiowa Indian Council

KIOWA INDIAN COUNCIL, RESOLUTION NO. _____:

CERTIFICATION

The foregoing resolution was duly voted upon by the 2025 Special Meeting of the Kiowa Indian Council of the Kiowa Tribe; was present at the duly called Special Kiowa Indian Council Meeting held on the __ day of _____, 20__, and that the foregoing resolution was adopted by the affirmative vote: For: _____ Opposed: _____ Abstention: _____

Secretary, Kiowa Indian Council