



KIOWA TRIBE

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OFFICE OF THE LEGISLATURE

RESOLUTION NUMBER KL-CY-2025-00X

THE KIOWA TRIBE SIGNATURE SUCCESSION ACT OF 2025

At a duly called Session of the Legislature of the Kiowa Tribe held this ____day of ____2025. The following resolution and law were adopted.

WHEREAS, the Kiowa Tribe (the “Tribe”) is organized under a constitution, duly adopted and approved by the voters of the Tribe on April 17, 2017 and approved by the U.S. Secretary of the Interior (“Secretary”)(the “Constitution”); and,

WHEREAS, the Kiowa Constitution pursuant to Article VI, Section 6 (a) The Legislature shall have the power to make laws and resolutions in accordance with the requirements of the Constitution. All legislative actions by the Legislature shall be embodied in a written law or resolution. All actions by the Legislature shall be made by a majority vote of the Legislature present, unless otherwise specified in this Constitution. Laws and resolutions which have been enacted shall remain valid until amended or repealed; and,

WHEREAS, the Kiowa Tribe is a sovereign nation and has been so since time immemorial; and,

WHEREAS, the Tribe exercises full enjoyment of the inherent powers of government, including self-determination and autonomy over internal affairs encompassing Tribe citizens, lands, and resources; and,

WHEREAS, on April 17, 2017, qualified voters of the Tribe ratified the Kiowa Constitution as “the supreme law of the land”; and,

WHEREAS, same Constitution establishes the structure of the Kiowa Government, including separation of specific powers among four lateral branches as well as the subordination in the Executive Branch of the Office of the Vice-Chairman, the occupant of which serves at the pleasure of the Chairman of the Tribe; and,

WHEREAS, the Kiowa Constitution delineates procedural steps for the dismissal of a Vice-Chairman per the judgment of a Chairman; and,

WHEREAS, the Constitution, in Article XII, Section 9 provides: “Any vacancy in the Office of Vice-Chairman shall be filled by appointment by the Chairman”; and,

WHEREAS, on August 19, 2024, Chairman of the Kiowa Tribe Lawrence Spottedbird transmitted a Notice of Termination to Vice-Chairman Jacob Tsoitigh, effectively removing him from office without Constitutionally guaranteed due process; and,

WHEREAS, on August 20, 2024, Vice-Chairman Tsoitigh filed a Complaint in the Trial court of the Kiowa Tribe that named Chairman Spottedbird as Defendant; and,

WHEREAS, on August 23, 2024, Chairman Spottedbird reversed the Notice of Termination he had issued just four days prior via written correspondence to Mr. Tsoitigh acknowledging that dismissal from the Vice-Chairmanship without the extension of an opportunity to publicly respond to pending removal would violate the rights of Vice-Chairmen enshrined in Article VII, Section 1(b) of the Kiowa Constitution; and

WHEREAS, Vice-Chairman Tsoitigh replied to Chairman Spottedbird in a letter dated September 4, 2024, and stamped “received” on September 6, 2024; and,

WHEREAS, Defendant in Tsoitigh v. Spottedbird filed a Motion for Judgement on the Pleadings and a Brief in Support thereof on September 10, 2024; and

WHEREAS, Defendant Spottedbird subsequently also field a Motion for Default Judgement based upon Plaintiff Tsoitigh’s failure to respond to the Motion for Judgement on the Pleadings; and,
WHEREAS, on October 16, 2024, Chairman Spottedbird publicly proclaimed the Office of the Vice-Chairman vacant during a District 1 community gathering in Anadarko, declaring, “With the humility, and accountability, drug- and-alcohol-free, and relying on Daw’Kee to lead us every day. That’s my philosophy that I want our Tribe, our tribal leaders, to live by, and unfortunately, that didn’t quite happen with the Vice-Chairman. But I’m looking for somebody, some Cauigu, that can fill that role. They have to be eligible as a Vice-Chairman, which they have to live within one of these six districts here, and, I think, thirty-five years old, and have a degree, a Bachelor’s degree, and just be a good, ethical person, that wants to take the best interests of the Cauigu at heart. That’s not a – to me, that shouldn’t be hard, but anyway, that’s who I’m looking for so if you guys got any recommendations or you want to be considered, again, give me a holler, ‘cause I’m looking for and I have the authority to appoint that person so as soon as I find somebody that can, you know, step up and join the Executive Branch and help me in the work that we have ...”; and,

WHEREAS, on October 18, 2024, Chairman Spottedbird requested via letter that the Legislature amend resolutions to excise Tsoitigh and his signature authority from all bank accounts, 20% funding, federal grants, and contracts; and,

WHEREAS, Plaintiff Tsoitigh thereafter submitted a Response to the Court on November 1, 2024; and,

WHEREAS, on November 8, 2024, the Trial Court of the Kiowa Tribe granted Defendant Spottedbird’s Motion for Judgment on the Pleadings and denied his Motion for Default Judgment,

thereby finding that “procedure was met” as to the mechanics of Vice-Chairman Tsotigh’s termination while cautioning that the Court was not making any determination “as to the reasons for the dismissal, the merit of the allegations, or the propriety of the decision to dismiss the Vice-Chairman”; and,

WHEREAS, on April 4, 2025, Chairman Spottedbird stated that the Office of the Vice-Chairman had remained vacant because he had been unable to identify an appointee who would both travel to Carnegie for work and uphold the ethical standard he expected; and,

WHEREAS, the Office of the Vice-Chairman remained vacant until April 17, 2024, more than five months after the Trial Court of the Kiowa Tribe issued a judgment in Tsotigh v. Spottedbird – and almost eight months after Chairman Spottedbird transmitted the first, ultimately retracted Notice of Termination to Vice-Chairman Tsotigh; and,

WHEREAS, the Kiowa Constitution is silent regarding a line of Executive Branch succession beyond the assumption of the Office of Chairman by a Vice-Chairman; and,

WHEREAS, prolonged vacancies in the Office of Vice-Chairman introduce the risk of chaos and operational disarray into the Tribe government and erode the trust of Tribe Members in same government; and,

WHEREAS, the premise that either the authors of or the voters who approved the Constitution intended to court the peril of Tribe operations plunging into dysfunction in the event of concurrent vacancies in the Offices of Chairman and Vice-Chairman; and,

WHEREAS, the absence of a Vice-Chairman for virtually three-quarters of a calendar year not only courts but actively pursues same peril; and,

WHEREAS, the Legislature is vested with the authority to pass laws and resolutions pursuant to Article VI, Section 6(a) of the Constitution of the Kiowa Tribe; and,

WHEREAS, the Legislature has determined that statutory codification of a line of signature authority succession is necessary in the interests of bolstering protection against the possibility of operational crisis should contemporaneous vacancies occur in the Offices of Chairman and Vice-Chairman;

NOW THEREFORE BE IT RESOLVED that the Legislature hereby enacts “The Signature Succession Act of 2025.”

CERTIFICATION

The foregoing Resolution KL-CY-2025-00X was duly voted upon by the Legislature on _____, 2025, at a Legislative Regular Session ____-(), with a vote of () in favor and () opposed, () abstaining, and () absent, according to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

Michael Primus
Speaker of the Legislature

LEGISLATIVE RESOLUTION – KL-CY-2025-00X

Sponsors: Cole DeLaune, District 4

Co-Sponsors:

LEGISLATORS	YES Hàu	NO Hàu:né	ABSTAIN Háun á	ABSENT Héngyádàu
Kyle Ataddlety District 1				
Michael Primus District 2				
Timothy Satepauhoodle District 3				
Cole DeLaune District 4				
Tiya Rosario District 5				
Ben Wolf District 6				
Warren Queton District 7				

DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN

Resolution No. KL-CY-2025-00X was presented to the Chairman of the Kiowa Tribe on the __th day of _____, 2025, pursuant to the Article VI, Section 8(a)(iv) of the Constitution of the Kiowa Tribe, and will become effective after signature by the Chairman or veto override by the Legislature, and as otherwise required by the Constitution.

Michael Primus
Speaker of the Legislature

CHAIRMAN’S ACTION:

☐ APPROVED

☐ VETO - RETURNED TO LEGISLATURE WITH EXPLANATION:

On this ____ day of _____, 2025.

Lawrence Spottedbird
Chairman of the Kiowa Tribe

Presented by the Chairman to the Legislature on the ____ day of _____, 2025.

LEGISLATURE’S ACTION:

Override of Chairman’s veto:

☐ YES

☐ NO

LEGISLATIVE OVERRIDE ORDER: KLO-CY-2025-0XX

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Kyle Ataddlety District 1				
Michael Primus District 2				
Timothy Satepauhoodle District 3				
Cole DeLaune District 4				
Tiya Rosario District 5				
Ben Wolf District 6				
Warren Queton District 7				

C E R T I F I C A T I O N

The foregoing Legislative Order, KLO-CY-2025-00X was duly voted upon by the Legislature on _____, 2025, at a Legislative Override Order Session with a vote of _____ in favor and _____ opposed, and _____ abstaining, _____ Absent. Pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

Michael Primus
Speaker of the Legislature

Section 1.1 Short Title

This enactment shall be known as the “Signature Succession Act of 2025.”

Section 1.2 Purpose

These provisions are enacted to define and establish in statute an unambiguous line of succession vis-à-vis signature authority in the interests of operational continuity should vacancies occur in Executive Branch Offices.

Section 1.3 Findings

The Legislature hereby finds and declares that:

- (a) 2024 to April 2025, the Office of Vice-Chairman of the Kiowa Tribe remained vacant for months.
- (b) The Constitution of the Kiowa Tribe provides for no succession in Executive Branch leadership beyond the assumption of the Chairmanship by the Vice-Chairman in the event of a vacancy in same Chairmanship.
- (c) A sustained vacancy in the Office of Vice-Chairman risks operational continuity in the event that a concurrent vacancy occurs in the Office of Chairman.
- (d) The integrity of routine functions of the Executive Branch – including, by way of example and without limitation, payroll – would be threatened by simultaneous vacancies in elected Executive Branch Offices.
- (e) Codification in statute of contingencies vis-à-vis signature is necessary to safeguard the interests of the Tribe.

Section 1.4 Sequence of Succession

- 1. Chairman of the Tribe
- 2. Vice-Chairman of the Tribe
- 3. Speaker of the Legislature
- 4. Treasurer

Section 1.5 Effective Date

This Act is effective upon signature of the Chairman of the Kiowa Tribe or upon signature of the Speaker of the Kiowa Legislature following legislative override. The forty-five-day timeline for appointments to any vacancies preceding enactment of this law shall commence with any such signature.