

FEB 15 2023

**KIOWA TRIBE**  
**KIOWA INDIAN COUNCIL MEETING**  
**APRIL 1, 2023**  
**RED BUFFALO HALL, CARNEGIE, OK**  
**RESOLUTION NUMBER: KIC-CY-0009-2023**

**DATE POSTED:****DATE APPROVED:****SUBJECT: ENFORCEMENT OF KIOWA CONSTITUTIONAL LAWS**

**WHEREAS:** The Kiowa Tribe is a sovereign nation since time immemorial and is federally recognized as a Tribal Government by the United States; and,

**WHEREAS:** The Kiowa Tribe is organized under a Constitution approved by Tribal membership on April 17, 2017, and approved by the Secretary of the Interior, U.S. Bureau of Indian Affairs May 5, 2017; and,

**WHEREAS:** Article V, Section (3)b of the Constitution grants the Kiowa Indian Council the power to set policy for the Tribe, and shall have all other powers and duties specifically provided by the Constitution.

**WHEREAS:** We the members of the Kiowa Indian Council of the Kiowa Tribe, under the authority granted to the Kiowa Indian Council by the Constitution by the Kiowa Tribe, in order to preserve for ourselves and our children the inherent sovereign rights of our Indian Nations governed under the laws of the Kiowa Constitution, to preserve Kiowa Cultural values and promote health, safety and welfare of the Kiowa people, do hereby establish and submit the following resolution; and

**WHEREAS:** Article VII – EXECUTIVE BRANCH Section 4. Powers (a) The Executive Powers of the Tribe shall be vested in the Chairman. The Chairman shall execute, administer and enforce the laws. The Chairman shall enforce court orders; and,

**WHEREAS:** Article XII – FOREFEITURE, REMOVAL, RECALL AND VACANIES Section 1. Forfeiture. Any elected or appointed official of the tribe who, during the term for which he or she is elected or appointed is convicted in any Tribe, State or Federal court of a felony a crime involving dishonesty, or a misdemeanor involving moral turpitude shall automatically forfeit his or her office effective on the date of his or her initial conviction in court and the seat shall be declared vacant; and,

**WHEREAS:** Michael Primus, District #2 Kiowa Legislator was convicted of a misdemeanor crime or moral turpitude in the District Court of Custer County, State of Oklahoma, Case# CM-2021-252 TR-2021-1133; and,

**NOW THEREFORE BE IT RESOLVED;** that the Kiowa Indian Council hereby resolve; directs the Chairman of the Executive Branch enforce the Constitutional law to immediately remove Michael Primus II from his post of District 2 Tribal Legislator and because this is not

new news and this issue has been brought to our Tribal Officials attention at the time it happened. Any and all monies paid to Michael Primus II as salary for his position from the date of his conviction to the present date shall be paid back to the Tribe by Michael Primus II and all legislation drafted after his conviction be revoked immediately.

Let it also be resolved that this resolution take effect immediately from the date of this Annual Kiowa Indian Council meeting and not further vote for this action will be required.

**BE IT FURTHER RESOLVED**, that this resolution shall be the policy of the Kiowa Tribe until it is withdrawn or modified by subsequent resolution or Constitutional amendment.

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**2023 KIOWA INDIAN COUNCIL OF THE KIOWA TRIBE**

**Chairman,** \_\_\_\_\_

**ATTEST:**

**Secretary,** \_\_\_\_\_

**KIOWA INDIAN COUNCIL, RESOLUTION NO.** \_\_\_\_\_:

**CERTIFICATION**

The foregoing resolution was duly voted upon by the 2023 Kiowa Indian Council of the Kiowa Tribe; \_\_\_\_\_ was present at the duly called Annual Kiowa Indian Council Meeting held on the \_\_\_\_ of \_\_\_\_\_, 2023, and that the foregoing Resolution was adopted by the affirmative vote:

**FOR:** \_\_\_\_\_ **OPPOSED:** \_\_\_\_\_ **ABSENTIAN:** \_\_\_\_\_

**Secretary, Kiowa Indian Council** \_\_\_\_\_