

TENTH LEGISLATURE  
OF THE  
CHEYENNE AND ARAPAHO TRIBES  
REGULAR SESSION  
APRIL 13, 2024  
LCR, CONCHO, OK

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**RESOLUTION:** A Bill to Create the Cheyenne and Arapaho Tribes Powwow Donation Act.

**RESOLUTION NO:** 10L-RS-2024-04-005

**DATE INTRODUCED:** March 4, 2024

**SPONSOR:** Bruce Whiteman, Jr., Cheyenne District 1

**CO-SPONSOR:**

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**SUBJECT:** A Bill to Create the Cheyenne and Arapaho Tribes Powwow Donation Act.

**WHEREAS:** The Cheyenne and Arapaho Tribes are duly recognized by the United States Secretary of the Interior as a self-governing, Sovereign Nation, that is a federally recognized Indian Tribe with all rights, privileges, and powers attended thereto as a sovereign government, and organized in accordance with Title 25 of the United States Code, Section 450, the “Indian Self-Determination and Education Assistance Act,” and Article XVII of the Tribe’s Constitution and By-Laws and Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967), under an amended Constitution ratified on August, 2006 and approved by the Secretary of Interior on May 17, 2006; and

**WHEREAS:** Article VI, Section 5(a) of the Constitution provides that the Legislative power shall be vested in the Legislature; and

**WHEREAS:** Article VI, Section 5(a) of the Constitution grants the Legislature the power to make laws and resolutions in accordance with the Constitution which are necessary and proper for the good of the Tribes; and

**WHEREAS:** The Preamble in the Constitution provides that, “We the People of the Cheyenne and Arapaho Tribes, in order to sustain and promote our cultures, languages, and way of life, protect our religious rights, establish and promote justice for all People, promote education, establish guidance and direction for our government, respect and protect our natural environment and resources, and advance the general welfare for ourselves and our posterity, do establish this Constitution”; and

**WHEREAS:** The Tenth Legislature of the Cheyenne and Arapaho Tribes recognizes the Constitutional duty to sustain and promote the Tribes’ cultures; and

**WHEREAS:** The Tenth Legislature of the Cheyenne and Arapaho Tribes recognizes the

necessity of supporting powwows to sustain and promote the Tribes' cultures, and donations to Powwow committees is integral to the continued success and cultural significance of the Tribes; and

**WHEREAS:** The Tenth Legislature of the Cheyenne and Arapaho Tribes finds it necessary to enact a law that outlines the requirements for Powwow Committees to receive donations from tribal funds; and

**NOW THEREFORE BE IT RESOLVED,** that the Tenth Legislature of the Cheyenne and Arapaho Tribes states that the Cheyenne and Arapaho Tribes Powwow Donation Act shall be cited as 9 CAC §9.700 in order to conform to the Codification Act.

**NOW THEREFORE BE IT RESOLVED,** the Tenth Legislature hereby appropriates a total of \$\_\_\_\_\_ of Cheyenne and Arapaho Tribes Tax Commission Funding for 2024 for to effectuate the purpose of this Bill.

**BE IT FURTHER RESOLVED,** that the Tenth Legislature of the Cheyenne and Arapaho Tribes, pursuant to its Constitutional authority, adopts the Bill to create the Cheyenne and Arapaho Tribes Powwow Donation Act, as attached herewith.

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Kendricks Sleeper,  
Speaker of the Tenth Legislature  
Cheyenne and Arapaho Tribes



**CHEYENNE AND ARAPAHO TRIBAL CODE (CAC)**  
**TITLE 9 – TRIBAL CULTURE AND HERITAGE**  
**SECTION 9.700 – CHEYENNE AND ARAPAHO TRIBES POWWOW DONATION ACT**  
**ENACTED BY LEGISLATURE: April 13, 2024**  
**CITE AS: 9 CAC §9.700**

**SUBJECT**

This legislative act shall be codified as 9 CAC §9.700 – “Cheyenne and Arapaho Tribes Powwow Donation Act”

**SUBSTANTIAL PROVISIONS**

The Legislature of the Cheyenne and Arapaho Tribes hereby amends and adopts the following CHEYENNE AND ARAPAHO TRIBES POWWOW DONATION ACT.

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**CHAPTER 1: SHORT TITLE**

**§9.700 Short Title**

This act shall be known and may be cited as the “Cheyenne and Arapaho Tribes Powwow Donation Act.”

**CHAPTER 2: AUTHORITY, FINDINGS, PURPOSES, AND DEFINITIONS**

**§9.701 Authority**

- (a) The Cheyenne and Arapaho Tribes are duly recognized by the United States Secretary of the Interior as a self-governing, Sovereign Nation, that is a federally recognize Indian Tribe with all rights, privileges, and powers attended thereto as a sovereign government, and organized in accordance with Title 25 of the United States Code, Section 450, the “Indian

Self-Determination and Education Assistance Act,” and Article XVII of the Tribe’s Constitution and By-Laws and Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967), under an amended Constitution ratified on April, 2006 and approved by the Secretary of Interior on May 17, 2006; and

- (b) Article VI, Section 5, subsection (a) of the Constitution grants that the Legislative power shall be vested in the Legislature; and
- (c) Article VI, Section 5, subsection (a) of the Constitution further grants that the Legislature shall have the power to make laws and resolutions in accordance with the Constitution which are necessary and proper for the good of the Tribes; and
- (d) Article VI, Section 5, subsection (a) of the Constitution further grants that all actions by the Legislature shall be embodied in a written law or resolution; and
- (e) Article VI, Section 5, subsection (a) of the Constitution further grants that laws and resolutions which have been enacted shall remain valid until amended or repealed; and
- (f) The Preamble in the Constitution provides that, “We the People of the Cheyenne and Arapaho Tribes, in order to sustain and promote our cultures, languages, and way of life, protect our religious rights, establish and promote justice for all People, promote education, establish guidance and direction for our government, respect and protect our natural environment and resources, and advance the general welfare for ourselves and our posterity, do establish this Constitution”;

#### **§9.702 Findings**

The Legislature of the Cheyenne and Arapaho Tribes finds that:

- (a) The Cheyenne and Arapaho Tribes lack a central repository for approving Powwow Committee donation requests for tribal funds, which results in excessive requests for donations of tribal funds leading to over commitment and potential mishandling of tribal funds.
- (b) The Cheyenne and Arapaho Tribes are in need of laws establishing requirements for Powwow Committees to request and receive tribal funds to support powwows.
- (c) Donations to Powwow Committees help sustain and promote the Tribes’ cultures, languages, and way of life.
- (d) There are a number of Powwow Committees dedicated to the Tribes’ cultures, languages and way of life, the two largest committees as of the date of this Act are Oklahoma Indian Nations and Colony.
- (e) Requiring formal organization for Powwow Committees will open the door for additional funding from non-tribal resources.

#### **§9.703 Purposes**

The purpose of this Act is to create a central repository for awarding and distributing donations of tribal funds for Powwow Committee donation requests in order to curb overcommitment and mishandling of tribal funds, while continuing to support powwows and cultural development through the use of tribal funds and resources.

#### **§9.704 Definitions**

The following words or terms shall have the following meaning when used in this Act unless the

context clearly indicates otherwise:

- (a) “Donation Request” means a solicitation for financial assistance of monetary contributions of tribal funds.
- (b) “Executive Office” means the Executive Office of the Cheyenne and Arapaho Tribes.
- (c) “Governor” mean the Governor of the Cheyenne and Arapaho Tribes.
- (d) “Legislature” mean the Legislature of the Cheyenne and Arapaho Tribes.
- (e) “Powwow” means a celebration of cultural gathering for the purpose of dancing, singing, and honoring the traditions of the Cheyenne and Arapaho Tribes.
- (f) “Powwow” shall exclude events or gathering that are primarily held for the following purposes:
  - a. Benefit dances;
  - b. Handgames;
  - c. Sundance.
- (g) “Powwow Committee” means a formally organized non-profit entity in accordance with Cheyenne and Arapaho law, established for the purpose of furthering the Cheyenne and Arapaho Tribes culture, language, traditions, and way of life, through the organization and hosting of powwows.
- (h) “Special Requests” means non-monetary resource requests needed from the Cheyenne and Arapaho Tribes to support powwows.
- (i) “Tribe” means the Cheyenne and Arapaho Tribes.
- (j) “Tribal Funds” means funds that have been or are subject to appropriation by the Legislature of the Cheyenne and Arapaho Tribes.

### **CHAPTER 3: SUBSTANTIVE PROVISIONS**

#### **§9.705 Procedures for Requesting Donations**

- A. All powwow donation requests of tribal funds shall be requested through one centralized Executive Branch Office or Executive Branch employee and accompanied by the approved application form.
  - a. The initial designated Executive Branch Employee for powwow donation requests shall be the Tribes’ Compliance Officer.
  - b. The Governor may in the Governor’s discretion select a different Executive Branch Office or Executive Branch employee for purposes of efficiency or necessity, provided all powwow donation requests run through one centralized office.
- B. No other branch of government or tribally owned entity may donate tribal funds to an individual, group, organization, entity, or powwow committee for a powwow.
- C. The Executive Office shall promulgate a standardized form for requesting powwow donations from tribal funds, with at a minimum the following requirements:
  - a. Complete list of names and telephone numbers of the Powwow Committee leadership members;
  - b. List of special requests needed for the powwow (e.g. request for use of tribal facilities); and
  - c. Voided Check in the Powwow Committee entity name shall accompany application;

- D. Requests must be submitted utilizing the approved application form at least three (3) weeks prior to the powwow, unless emergency circumstances exist.

#### **§9.706 Funding**

- A. Donations for powwows shall be limited to a maximum amount per Powwow Committee annually as follows:
  - a. Oklahoma Indian Nations and Colony Powwow Committees shall be allowed a max donation of \$15,000 each, per year, subject to available funds.
  - b. All other Powwow Committees shall be allowed a max donation of \$10,000 per committee, per year, subject to available funds.
- B. Only those Powwow Committees which are recognized by the Executive Office as a formally organized Cheyenne and Arapaho Tribes Powwow Committee shall be entitled to funding.
  - a. In the event there is a dispute regarding a Powwow Committee being a formally organized Cheyenne and Arapaho Tribes Powwow Committee, the Governor shall have the sole discretion to make the final determination.
- C. Donations of tribal funds shall be in the form of a check made out to Powwow Committee entity name or directly deposited into a bank account held in the Powwow Committee entity name.
- D. Only Powwow Committees which comply with this Act shall be entitled to funding.
- E. The right to funding is subject to available funds appropriated by the Legislature for the purpose of this Act.
- F. Nothing in this Act shall be interpreted to require the appropriation of funds to carry out the purpose of this Act.

#### **§9.707 Powwow Committee Fundraising**

- A. Nothing in this Act shall prohibit an individual, group, organization, entity, or powwow committee from fundraising or requesting donations of non-tribal funds from a group, organization, or entity, which is not a part of the Cheyenne and Arapaho Tribes, or any individual.

#### **§9.708 Powwow Restrictions**

- A. Powwow Committees shall inform attendees that possession, manufacturing, distributing, storing, consuming, or otherwise using alcohol and illegal drugs is strictly prohibited.

### **CHAPTER 4: MISCELLANEOUS PROVISIONS**

#### **§9.709 Conflict of Laws**

Any provisions of this Act which are inconsistent with or contrary to the provisions of the Cheyenne and Arapaho Tribes laws shall supersede, and the provisions of this Act shall prevail. Where not inconsistent, the provisions of this Act shall apply in conjunction with the provisions of other Cheyenne and Arapaho Tribes laws.

#### **§9.710 Construction**

This Act shall be liberally construed to carry out its purpose. The effectiveness and enforceability of this Act shall not be dependent upon the adoption of any regulations promulgated hereunder

and shall not be construed to diminish, limit or otherwise adversely affect any right, remedy held or available to the Cheyenne and Arapaho Tribes.

**§9.711 Severability**

If any section of this Act, or any part thereof, or any application thereof to any party, person or entity or in any circumstance shall be held invalid for any reason whatsoever by a court of competent jurisdiction, the remainder of the section or part of the Act shall not be affected and shall remain in full force and effect as though no section or part has been declared to be invalid.

**§9.712 Effective Date**

This Act shall be effective 30 days after signature by the Governor or as otherwise provided in the Constitution.

**ATTEST:**

I, Jodi White Buffalo, Legislative Clerk, hereby certify that the foregoing is a True and Accurate Copy of the Original Bill No. 10L-RS-2024-04-005 which was acted upon by the Legislature of the Cheyenne and Arapaho Tribes in the Tenth Legislature Regular Session, by a roll call vote on the 13<sup>th</sup> day of April 2024, by a vote.

**VOTE RECORD:**

DISTRICT	LEGISLATOR	YES	NO	ABSTAIN	ABSENT
A1	Diane Willis				
A2	Kendricks Sleeper				
A3	Travis Ruiz				
A4	Rector Candy				
C1	Bruce Whiteman, Jr.				
C2	George Woods				
C3	Thomas Trout				
C4	Byron Byrd				
<b>TOTAL</b>					
<b>Passes ( ) Fails ( ) Tabled ( ) Allowed to Die ( ) No Action ( )</b>					

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Jodi White Buffalo, Legislative Clerk  
Ninth Legislature, Cheyenne and Arapaho Tribes





**ATTEST:**

Pursuant to Article VI, Section 7, subsection (a)(iv) of the Tribes Constitution reads in part: “All Bills passed by the Legislature shall be presented to the Governor for signature or veto. All laws shall take effect thirty days after signature by the Governor or veto override by the Legislature unless any Member of the Tribes submits to the Coordinator of the Office of Tribal Council a petition signed by at least one hundred fifty Members of the Tribal Council seeking to repeal the law or resolution at the next Tribal Council meeting. If the Tribal Council fails to repeal such law or resolution at the next Tribal Council where the matter has been properly placed on the agenda for the Tribal Council meeting, such law or resolution shall become effective immediately.”

Pursuant to Article VII, Section 4, subsection (g) of the Tribes Constitution reads: “The Governor shall have the power to sign any enactment passed by the Legislature into law or to veto any enactment passed by the Legislature within ten days of passage with a written explanation of any objections; and if the Governor takes no action within ten days, then the enactment shall become law in accordance with this Constitution.”

{ } APPROVED

{ } VETOED: Attachment \_\_\_\_; Governor’s written explanation of any objections.

On the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Reggie Wassana, Governor  
Cheyenne and Arapaho Tribes



**TRANSMITTAL OF DOCUMENTS:**  
**From the Legislative Branch to the Office of Records Management**

**ATTEST:**

Pursuant to Article VI, Section 7, subsection (a)(v), of the Tribes Constitution reads, “The Office of Records Management shall compile all Laws and Resolutions into a comprehensive Code in an orderly manner that shall be published annually.”

Office of Records Management Staff, hereby certify that the foregoing is a True and Accurate Original Resolution No. 10L-RS-2024-04-005.

Space below is reserved for Stamp:

Received (Date) Office of Record Management

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Office of Records Management  
Department of Administration, Executive Branch  
Cheyenne and Arapaho Tribes

