

NINTH LEGISLATURE  
OF THE  
CHEYENNE AND ARAPAHO TRIBES  
6<sup>TH</sup> Regular Session  
June 11, 2022  
Complex LCR Concho, OK

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**RESOLUTION:** A Bill to Amend the Cheyenne and Arapaho Tribes Veterans Care Assistance Act.

**RESOLUTION NO:** 9L-RS-2022-06-006

**DATE INTRODUCED:** May 9, 2022

**SPONSOR:** Travis Ruiz, A3 District

**CO-SPONSOR:** George Woods, C2 District

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**LEGISLATIVE HISTORY:**

*[NOTE: The provisions of this Resolution will amend the Cheyenne and Arapaho Tribes Veterans Care Assistance Act, which is codified as 10 CAC 10.700 and was enacted by the Eighth Legislature of the Cheyenne and Arapaho Tribes in the 22nd Regular Session. See 8L-RS-2021-10-002].*

**SUBJECT:** A Bill to Amend the Cheyenne and Arapaho Tribes Veterans Care Assistance Act.

**WHEREAS:** The Cheyenne and Arapaho Tribes are a federally recognized Indian tribe organized pursuant to a Constitution approved by tribal membership on April 4, 2006 and approved by the Secretary of the Interior; and

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

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

**WHEREAS:** Article VI, Section 5(a) of the Constitution requires “Laws and resolutions which have been enacted shall remain valid until amended or repealed;” and

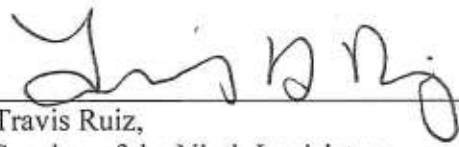
**WHEREAS:** The Legislature has the Constitutional obligation and public responsibility to the Tribes to oversee the Tribes’ operations in order to establish and promote justice, establish guidance and direction for the government and advance the general welfare of the Tribes.

**WHEREAS:** The Eighth Legislature of the Cheyenne and Arapaho Tribes in the 22nd Regular Session passed Resolution 8L-RS-2021-10-002, which established the Cheyenne and Arapaho Tribes Veterans Care Assistance Act.

**WHEREAS:** After an analysis of the program’s effectiveness, the Legislature finds it necessary to amend the Cheyenne and Arapaho Tribes Veterans Care Assistance Act to

remove the eligibility requirement of having “a VA disability rating of 10% or higher” and remove the age limitation to expand eligibility to all ages. By expanding the program’s eligibility, the Act’s purpose will be more effectively served.

**NOW THEREFORE BE IT RESOLVED**, that the Ninth Legislature of the Cheyenne and Arapaho Tribes states that the Cheyenne and Arapaho Tribes Veterans Care Assistance Act shall be amended to remove the VA disability rating of 10% or higher requirement and remove the age limitations.



Travis Ruiz,  
Speaker of the Ninth Legislature  
Cheyenne and Arapaho Tribes



**CHEYENNE AND ARAPAHO TRIBAL CODE (CAC)**  
**TITLE 10 – CHEYENNE AND ARAPAHO TRIBES**  
**VETERANS CARE ASSISTANCE ACT**  
**SECTION 10.700 – ENACTED BY LEGISLATURE: OCTOBER 9, 2021**  
**SECTION 10.700 – AMENDED BY LEGISLATURE: JUNE 11, 2022**  
**CITE AS: 10 CAC §10.700**

**SUBJECT**

This Act repeals and replaces any and all prior Veterans Care Assistance Act of the Cheyenne and Arapaho Tribes.

**FINDINGS**

The Cheyenne and Arapaho Tribes are a federally recognized Indian tribe, organized under a Constitution approved by Tribal membership on April 4, 2006 and approved by the Secretary of the Interior; and

- A. Article VI, Section 5(a) and (c) in the Constitution provides that “Legislative power shall be vested in the Legislature” and “[t]he 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...Laws and resolutions which have been enacted shall remain valid until amended or repealed[;]” and
- B. The Office of Records Management is created pursuant to Constitution Article VII, and the Office of Records Management “shall compile all laws and Resolutions into a comprehensive Code in an orderly manner that shall be published annually.” Constitution Article VI, Section 7(a)(v). The Legislature has deemed it necessary and proper to create a Codification Act to ensure the Office of Records Management has a clear and concise direction to maintain a comprehensive Code in an orderly manner.

**SUBSTANTIAL PROVISIONS**

The Legislature of the Cheyenne and Arapaho Tribes hereby amends and adopts the following THE CHEYENNE AND ARAPAHO TRIBES VETERANS CARE ASSISTANCE ACT.

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**CHAPTER 1: SHORT TITLE**

**§10.700 Short Title**

This Act shall be known and may be cited as the "Cheyenne and Arapaho Tribes Veterans Care Assistance Act".

**CHAPTER 2: AUTHORITY AND DEFINITIONS**

**§10.701 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.

**§10.702 Definitions**

The following words or terms shall have the following meaning when used in the subchapter unless the context clearly indicates otherwise:

- (a) "Active Duty" means full-time duty in the Armed Forces, other than active duty for training
- (b) "Cheyenne and Arapaho Tribes" means all four branches of the government specified in Constitution Article II, Section 2, and includes all departments, commissions, boards, agencies, economic enterprises, and instrumentalities thereof.
- (c) "DD-214" means **Certificate of Release or Discharge from Active Duty**, generally referred to as a "DD 214", is a document of the United States Department of Defense, issued upon a military service member's retirement, separation, or discharge from active duty in the Armed Forces of the United States

- (d) “Discharge” means a **military discharge** that is given when a member of the armed forces is released from their obligation to serve.
- (e) “HOPE” means the Help Our People Excel (HOPE) program that has been administering the CARES Act and American Rescue Plan Act (ARPA) Direct Assistance programs.
- (f) “Reservist” means a member of a reserve component of one of the Armed Forces.
- (g) “Veteran” means a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable. A Reservist or member of the National Guard called to Federal active duty or disabled from a disease or injury incurred or aggravated in line of duty or while in training status also qualify as a veteran.

[Amended June 11, 2022 to remove “VA disability rating” definition.]

### **CHAPTER 3: PURPOSE**

#### **§10.703 Purpose**

- (a) Cheyenne and Arapaho Veterans have minimal assistance available to them but the cost of living has risen substantially over the past two years due to Covid-19 and it is necessary to offer and provide financial assistance to veterans to ensure that our veterans can have financial assistance to provide the basics of food security and utilities.
- (b) The funding for the Veterans Care Assistance Act is projected to cost an estimated \$1.8 million dollars over a three-year period based on the number of Cheyenne and Arapaho veterans registered with the Office of Veterans Affairs.

[Amended June 11, 2022 to remove references to age restrictions.]

### **CHAPTER 4: VETERANS CARE ASSISTANCE**

#### **§10.704 Veterans Care Assistance Eligibility**

- (a) Eligible veterans are all Cheyenne and Arapaho veterans that were discharged or released therefrom under conditions other than dishonorable.
- (b) Eligible veterans can apply for the assistance through the Office of Veterans Affairs by self-certifying their need for assistance. Once the veteran applies and is found eligible, they do not have to reapply.
- (c) The Office of Veterans Affairs will develop a one-page assistance application no later than October 20, 2021 and will work in conjunction with the HOPE program to ensure that eligible veteran’s applications for assistance are submitted and processed.
- (d) Eligible veterans who apply and are found eligible will receive \$150 assistance per month beginning December 1, 2021.
- (e) The financial assistance made to or for the benefit of tribal veterans will be on a nontaxable basis in accordance with the requirements of the federal Tribal General Welfare Exclusion Act of 2014.

[Amended June 11, 2022 to remove references to age and VA rating restrictions.]

### **CHAPTER 5: MISCELLANEOUS PROVISIONS**

#### **§10.705 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 shall be construed to diminish, limit or otherwise adversely affect any right, remedy held or available to the Cheyenne and Arapaho Tribes.

#### **§10.706 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.

#### **§10.707 Statement of Supersedure**

This Act shall supersede any law in place before it, which conflict with its intent and purpose.

#### **§10.708 Authorization and Appropriation**

The Cheyenne and Arapaho Legislature hereby authorizes and appropriates the sum of one million eight hundred thousand dollars (\$1,800,000) to Veterans Care Assistance out of the American Rescue Plan Act funds to supplement the HOPE program, limited to only direct assistance expenditures and all unspent funds shall revert back to the ARPA Fund in the Department of Treasury.

#### **§10.709 Effective Date**

This Act shall be effective on the later of November 1, 2021 or 30 days after signature by the Governor as provided in the Constitution.

#### **§10.710 Termination Date**

This Act shall terminate after the October 2024 assistance payments have been made, but no later than October 31, 2024.



**ATTEST:**

I, Jodi White Buffalo, Legislative Clerk, hereby certify that the foregoing is a True and Accurate Copy of the Original Bill No. 9L-RS-2022-06-006 which was acted upon by the Legislature of the Cheyenne and Arapaho Tribes in the Ninth Legislature Regular Session, by a roll call vote on the 11th day of June 2022, 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	✓			
C2	George Woods	✓			
C3	Darrell Flyingman	✓			
C4	Byron Byrd	✓			
<b>TOTAL</b>		8			
<b>Passes</b> (X) <b>Fails</b> ( ) <b>Tabled</b> ( ) <b>Allowed to Die</b> ( ) <b>No Action</b> ( )					

  
\_\_\_\_\_  
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."

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 (10) days of passage with a written explanation of any objections; and if the Governor takes no action within ten (10) days, then the enactment shall become law in accordance with this Constitution."

{  } APPROVED

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

On the 11<sup>th</sup> day of June, 2022.



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





**TRANSMITTAL OF DOCUMENTS:**

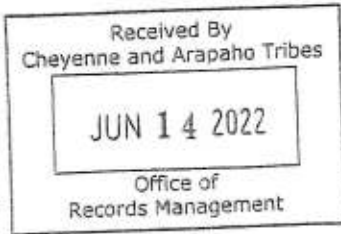
**From the Legislative Branch to the Office of Records Management**

**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. 9L-RS-2022-06-006.

Space below is reserved for Stamp:  
Received (Date) Office of Record Management



Signature: Cheryl Blind

Print Name: Cheryl Blind

Title: Director

Date: 6/14/22

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

