

**POKAGON BAND OF POTAWATOMI INDIANS  
TRIBAL COUNCIL DONATION POLICY**

SECTION 1. PURPOSE ..... 2

SECTION 2. DEFINITIONS..... 2

SECTION 3. DONATION BUDGET ..... 3

SECTION 4. PROHIBITED DONATIONS..... 3

SECTION 5. REQUESTING A DONATION ..... 3

SECTION 6. DONATION AMOUNT ..... 4

SECTION 7. PROCESSING DONATION REQUEST FORMS ..... 4

SECTION 8. DECISION..... 5

SECTION 9. REPORTING ..... 6

SECTION 10. MISCELLANEOUS..... 6

1. **PURPOSE.**

- (a) The Pokagon Band frequently receives requests to make a Donation.
- (b) This Policy establishes the policy and procedure for making, processing, and evaluating requests for Donations.
- (c) This Policy is not intended to address and does not address requests for Donations:
  - (i) To any subordinate entity of the Pokagon Band that has been delegated the necessary authority to make Donations;
  - (ii) To any department of the Pokagon Band pursuant to a program of such department;
  - (iii) To any political campaign, political candidate, political cause, or political event; or
  - (iv) To any legislative or legal cause.
- (d) This Policy shall be interpreted in a manner consistent with the above purposes.

2. **DEFINITIONS.**

- (a) “Applicant” means the person requesting the Pokagon Band make a Donation.
- (b) “Citizen” means a duly enrolled member of the Pokagon Band.
- (c) “Donation” means a gift of a financial contribution by the Pokagon Band.
- (d) “Donation Budget” means a budget for all Donations that may be approved by the Tribal Council pursuant to this Policy. The Donation Budget does not have to be a stand-alone item of the Tribal Council’s overall budget, but may instead be a portion of the Tribal Council’s overall budget adopted for all donations.
- (e) “Donation Request Form” means the form developed by the Executive Secretary to the Tribal Council, pursuant to this Policy that an Applicant must complete to request the Pokagon Band make a Donation.

- (f) “Entity” means any business, association, partnership, corporation, firm, joint venture, trust or other form of business association or business entity, tribal, state, local government, or government instrumentality.
- (g) “Executive Secretary” means the Executive Secretary to the Tribal Council.
- (h) “Pokagon Band” means the Pokagon Band of Potawatomi Indians.
- (i) “Policy” means this Tribal Council Donation Policy.
- (j) “Tribal Council” means the governing body of the Pokagon Band as set forth in Article IX of the Pokagon Band’s Constitution.

3. **DONATION BUDGET.**

The Tribal Council shall approve a Donation Budget annually.

4. **PROHIBITED DONATIONS.**

The Tribal Council shall not consider or approve a Donation for any of the following:

- (a) A Donation to a person; and
- (b) A Donation that spans multiple years.

5. **REQUESTING A DONATION.**

- (a) Requests for a Donation may be made by any person or Entity.
- (b) All requests for Donations shall be made on a Donation Request Form provided by the Executive Secretary, which shall at a minimum include the following:
  - (i) Name and contact information of the Applicant;
  - (ii) Whether the Applicant is a Pokagon Band citizen;

- (iii) Name and description of the Entity to which the Donation is to be made, including a contact person and contact information such Entity;
- (iv) Amount of the Donation desired;
- (v) Purpose for which the Donation will be used;
- (vi) If the Donation is for a specific activity or event, a description of the activity or event and if known, the budget for the activity or event;
- (vii) Date by which the Donation is desired;
- (viii) Whether the Applicant has sought a Donation for the Entity from any subordinate entity of the Pokagon Band;
- (ix) If known, the taxpayer identification number for the Entity to which the Donation is to be made; and
- (x) Any publicity or recognition that the Pokagon Band may receive if the Donation is approved.

(c) All completed Donation Request Forms shall be returned to the Executive Secretary.

**6. DONATION AMOUNT.**

- (a) Each Donation shall not exceed \$500; provided, however that Donations for pow wows or other cultural events as determined by the Tribal Council, shall not exceed \$5,000.
- (b) Donations to any one Entity shall not exceed \$500 per calendar year; provided, however, that Donations to any one Entity for pow wows shall not exceed \$5,000 per calendar year.

**7. PROCESSING DONATION REQUEST FORMS.**

- (a) The Executive Secretary shall review all completed Donation Request Forms for compliance with this Policy. The Executive Secretary or the Executive Secretary's

designee, shall determine whether the completed Donation Request Form fulfills the requirements of this Policy and is eligible for a Donation pursuant to this Policy.

- (b) If the completed Donation Request Form does not fulfill the requirements of this Policy and is not eligible for a Donation pursuant to this Policy, the Executive Secretary or the Executive Secretary's designee shall inform the Applicant, including all reasons for such. Any such determination shall be final and not subject to appeal.
- (c) Upon a determination that the completed Donation Request Form does fulfill the requirements of this Policy and is eligible for consideration by the Tribal Council pursuant to this Policy, the Executive Secretary shall forward to the Tribal Council, for consideration by the Tribal Council, the following:
  - (i) Notice of such determination; and
  - (ii) A copy of the completed Donation Request Form.

## 8. **DECISION.**

- (a) Any Donation made by the Pokagon Band pursuant to a Donation Request Form must be approved by the Tribal Council, either by motion or resolution.
- (b) To the extent possible, at any meeting where the Tribal Council will consider whether to approve a Donation pursuant to a Donation Request Form, the Applicant or a representative of the Entity should attend such meeting.
- (c) The Tribal Council may consider the following when deciding whether to approve a Donation:
  - (i) The extent to which the Pokagon Band will benefit, including through supporting the Pokagon Band's mission and strategic initiatives, positive visibility, or community goodwill;
  - (ii) The extent to which Citizens will benefit;
  - (iii) The extent to which the Donation is for any priority that may be adopted or recognized by the Tribal Council; and
  - (iv) Whether to approve an amount less than that requested in the Donation Request Form; and

- (v) The amount remaining in the Donation Budget.
- (d) Any decision to approve (in whole or in part), reject, or not consider any Donation pursuant to a Donation Request Form shall be in the Tribal Council's sole discretion. Any such decision shall be final and not subject to appeal.
- (e) If the Applicant or any representative of the Entity is not present at the meeting in which the Tribal Council makes its decision regarding the Donation Request Form, the Executive Secretary or the Executive Secretary's designee shall inform the Applicant, in writing, electronically, or orally, whether the Donation was approved or rejected.
- (f) If the Tribal Council approves a Donation, the Executive Secretary, or the Executive Secretary's designee, shall submit a check request to the Finance Department in the amount approved by the Tribal Council.

**9. PAYING APPROVED DONATIONS.**

All Donations approved by the Tribal Council shall be paid directly to the Entity identified in the Donation Request Form. Before issuing payment to such Entity, the Department of Finance shall endeavor to obtain from such Entity, a completed IRS W9 Form (Request for Taxpayer Identification Number and Certification).

**10. MISCELLANEOUS.**

- (a) At least annually, the Finance Board or its designee, shall provide the Tribal Council with a report that, at a minimum, contains the number and amount of each Donation approved pursuant to this Policy during the prior calendar year.
- (b) The Department of Communications shall ensure that a copy of this Policy and the Donation Request Form are provided on the Pokagon Band's website and are otherwise available upon request.
- (b) Nothing contained in this Policy shall be construed to vest in any person, Applicant, or Entity any right or interest in any Pokagon Band revenues or assets.
- (c) The Tribal Council reserves the right to amend or repeal this Policy at any time in its sole discretion, subject to applicable Pokagon Band law.

**11. EFFECTIVE DATE.**

This Policy shall be effective January 1, 2016.

---

POLICY HISTORY

This Tribal Council Donation Policy was adopted on November 2, 2015 by Tribal Council Resolution 15-11-02-04.