

RESOLUTION NO. 110-07

COUNCIL OF THE CHEROKEE NATION

**A RESOLUTION REQUESTING THE U.S. CONGRESS TO DECLARE THE
CLAREMORE INDIAN HOSPITAL AND SURROUNDING PARCEL OF LAND AS
INDIAN COUNTRY UNDER 18 U.S.C. § 1151(B)**

WHEREAS, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people;

WHEREAS, the Cherokee Nation is a federally recognized Indian Nation with a historic and continual government to government relationship with the United States of America;

WHEREAS, the Cherokee Nation is a member of the Claremore Service Unit and Indian Hospital Board of Directors, comprised of tribal leaders designated by the federally recognized Nations within the 12 counties served by the Claremore Indian Health Service (IHS) Service Unit;

WHEREAS, the Claremore Indian Hospital is considered a “federal enclave” and is therefore under exclusive federal criminal jurisdiction and as such, under the protection of the Federal Bureau of Investigation and the United States Marshal Service;

WHEREAS, upon being declared Indian Country, the Claremore Indian Hospital and surrounding parcel of land shall be subject to criminal jurisdiction as proscribed under the Major Crimes Act (18 U.S.C. § 1153), the General Crimes Act (18 U.S.C. § 1152), and the Indian Civil Rights Act (25 U.S.C. § 1302(7));


WHEREAS, because the Claremore Indian Hospital is located wholly within the jurisdictional boundaries of the Cherokee Nation, upon declaring the Claremore Indian Hospital and surrounding parcel of land as Indian Country under 18 U.S.C. § 1151(b), certain criminal acts and investigative authority would fall under the jurisdiction of the Cherokee Nation.

BE IT RESOLVED BY THE CHEROKEE NATION, that in respect to “**DECLARING THE CLAREMORE INDIAN HOSPITAL AND SURROUNDING PARCEL OF LAND AS INDIAN COUNTRY UNDER 18 U.S.C. § 1151(B)**”, the Cherokee Nation requests Congress to declare the Claremore Indian Hospital and surrounding parcel of land as Indian Country under 18 U.S.C. § 1151(b) for the purpose of expanding law enforcement protection at the facility to better serve and protect the Claremore Indian Hospital patients, staff, and property; and


BE IT FURTHER RESOLVED BY THE CHEROKEE NATION, that the Cherokee Nation has adequate resources and capacity to coordinate law enforcement coverage at the facility.

CERTIFICATION

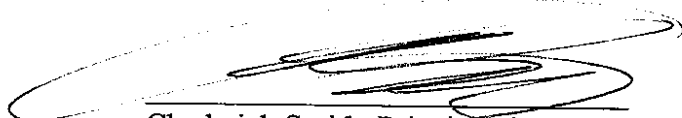
The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 17th day of December, 2007, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; 0 abstaining.


Meredith A. Frailey, Speaker
Council of the Cherokee Nation

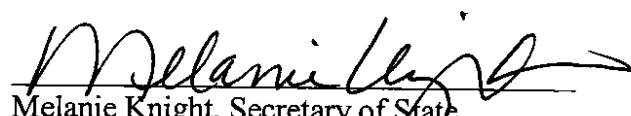
ATTEST:


Don Garvin, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 27th day of December, 2007.


Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:


Melanie Knight, Secretary of State
Cherokee Nation

ADMINISTRATIVE CLEARANCE:

Program/Project Manager:

Signature _____ Date _____

Department Director:

Signature _____ Date _____

Group Leader:

Signature _____ Date _____

Finance Approval (if needed):

Signature _____ Date _____

Government Resources Group:

Lita May 11/19/07
Signature _____ Date _____

Administration Approval:

Melani King 11/19/07
Signature _____ Date _____

LEGISLATIVE CLEARANCE

Legal & Legislative Coordinator:

Stuttain 11/19/07
Signature/Initial _____ Date _____

Standing Committee:

Hules

11/29/07

Next Meeting Date

Chairperson:

M. Frailey
Signature/Initial _____ Date _____

Returned to Presenter: _____
Date

**Cherokee Nation
Act/Resolution Proposal Form**

Act

Resolution

TITLE: A Resolution Requesting the U.S. Congress to Declare the Claremore Indian Hospital and Surrounding Parcel of Land as Indian Country Under 18 U.S.C. § 1151(B)

Department Contact: Melissa Gower

Resolution Presenter: Melissa Gower

Council Sponsor: Cara Cowan Watts

NARRATIVE:

(See Attached Outline for Information Needed)

The purpose of this resolution is to request the U.S. Congress to declare the Claremore Indian Hospital and surrounding land as Indian Country for the purpose of expanding law enforcement protection.