

COUNCIL OF THE CHEROKEE NATION

AUTHORIZING APPROVAL OF A RESOLUTION REQUESTING THE CHIEF, LAW ENFORCEMENT SERVICES, BUREAU OF INDIAN AFFAIRS TO TEMPORARILY RESUME LAW ENFORCEMENT RESPONSIBILITIES PRESENTLY UNDER COMPACT WITH THE CHEROKEE NATION AND DECLARING AN EMERGENCY

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

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; and,

WHEREAS, the Cherokee Nation is a Self-Governance Tribe and, pursuant to the Indian Law Enforcement Act, assumed law enforcement power from the Bureau of Indian Affairs; and,

WHEREAS, the Council of the Cherokee Nation recognizes, its highest priority is to provide for the health and safety of the Cherokee people; and,

WHEREAS, the Council of the Cherokee Nation with this declares that a state of an emergency exists.

NOW THEREFORE, BE IT RESOLVED THAT the Council of the Cherokee Nation makes a formal request to the Chief, Law Enforcement Services, Bureau of Indian Affairs, and the Area Director, Muskogee Area Office, Bureau of Indian Affairs, collectively referred to as the Bureau of Indian Affairs, to temporarily assume all law enforcement responsibilities presently under compact with the Cherokee Nation for a period of up to eight weeks; and,

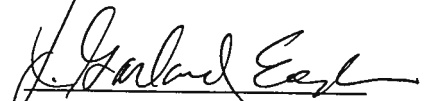
BE IT FURTHER RESOLVED THAT the Council of the Cherokee Nation orders all law enforcement current and former personnel employed in any manner with the Marshal Service of the Cherokee Nation, who are in possession of equipment and/or supplies related to the law enforcement compact between the Cherokee Nation and the Bureau of Indian Affairs, including but not limited to commission cards, cellular phones, credit cards, vehicles, weapons, and radios, to immediately surrender those items to the Bureau of Indian Affairs; and,

BE IT FURTHER RESOLVED THAT pursuant to the terms of the Indian Law Enforcement Reform Act, this resolution requests the Bureau of Indian Affairs to enforce Cherokee Nation codes and ordinances, and submit herewith those codes and ordinances to the Bureau of Indian Affairs; and,


BE IT FURTHER RESOLVED THAT the Council of the Cherokee Nation instructs the Principal Chief to negotiate an amendment to the Annual Funding Agreement that includes the terms and conditions stated above that contains provisions to cover expenses to the Bureau of Indian Affairs for their participation.

CERTIFICATION

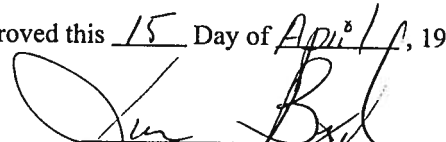
The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 15 day of April, 1997, having members present, constituting a quorum, by the vote of 9 yea; 0 nay; 0 abstaining.


James Garland Eagle, President
Council of the Cherokee Nation

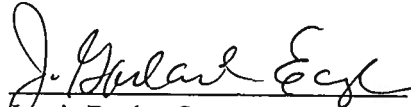
ATTEST:


Mary Elute Cooksey, Secretary
Council of the Cherokee Nation

Approved this 15 Day of April, 1997


Joe Byrd, Principal Chief
Cherokee Nation

ATTEST:


~~Jennie Battles, Secretary-Treasurer~~ James Garland Eagle
Cherokee Nation

CHEROKEE NATION

RESOLUTION NARRATIVE

The Cherokee Nation Tribal Council recognizes that there is a disagreement between the Executive Branch and the Judicial Branch over the status of the Marshal Service. Under self-governance, the Cherokee Nation has assumed responsibility for providing law enforcement service to Cherokee citizens within our jurisdiction. Providing for the health and safety of the Cherokee constituency is the highest priority of the Tribal Council.

Given the current circumstance, the Tribal Council has determined that the best way to provide for the protection of the Cherokee people is to suspend the activities of the Cherokee Nation Marshal Service and to request the assistance of law enforcement officers from the Bureau of Indian Affairs on a temporary basis. Both groups of Marshals, those constituted by the Principal Chief and the former marshals under the direction of Pat Ragsdale, would be required to turn in all Cherokee Nation equipment and/or supplies to the Bureau officers. By following this scenario, any potential conflict between the two groups would be eliminated while maintaining law enforcement services to the Cherokee people.

The Principal Chief will be authorized to negotiate with the Bureau of Indian Affairs for the reimbursement of their expenses and to define the terms and conditions of their assistance.