

An Act

Legislative Act 17-26

CHEROKEE NATION ENERGY AND SUSTAINABILITY ACT OF 2026

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This legislative Act shall be titled and codified as the “Cherokee Nation Energy and Sustainability Act of 2026,” in Cherokee Nation Code Annotated Title 27 and alternatively as “An Act Repealing and Replacing the ‘Reduce, Reuse and Recycle Act of 2009’” or the “Cherokee Nation Energy Act.”

Section 2. Legislative History

[Legislative Act 18-09, the Reduce, Reuse and Recycle Act of 2009](#)

Section 3. Purpose and Findings

-
- A. **Purpose:** The purpose of this Act is to repeal the Reduce, Reuse and Recycle Act of 2009,” and replace it with the “Cherokee Nation Energy and Sustainability Act of 2026.” to mandate sustainability and energy efficiency goals under the Secretary of Natural Resources, to authorize relevant programs, to consolidate requirements related to energy and sustainability reporting, and to establish the Cherokee Nation Office of Energy within the Natural Resources Department.
 - B. **Findings:** The Council of the Cherokee Nation finds that Cherokee Nation’s Reduce, Reuse and Recycle Act of 2009 did not sufficiently meet Cherokee Nation’s interests in achieving recycling goals and programs. Additionally, the Council finds that the Reduce, Reuse and Recycle Act of 2009 is antiquated in view of the subsequent establishment of the Secretary of Natural Resources cabinet office and various executive actions and processes that meet or exceed the requirements of the Reduce, Reuse and Recycle Act in a manner that better aligns with modern Cherokee Nation administrative processes. The Council further finds that the reporting requirements of the Reduce, Reuse and Recycle Act were vague and insufficiently implemented from the inception of administering the Act and lacked public transparency. Additionally, Council finds that the Reduce, Reuse and Recycle Act was both narrow and rigid in its conception of “recycling” and failed to address energy efficiency interests of the

Cherokee Nation. The Council also finds that concepts of energy management and efficiency must be managed primarily by the Secretary of Natural Resources in order to achieve identifiable goals of energy and natural resource conservation. Finally, the Council has identified activities related to energy efficiency, recycling, litter mitigation, light pollution, natural resource conservation and mitigation of the impact of human caused climate change are “Public Health and Wellness Activities and Infrastructure” within the meaning of the Public Health and Wellness Fund Act, as amended.

Section 4. Secretary of Natural Resources as Primary Authority

- A. Authority to implement this Act is vested in the Principal Chief, to be delegated primarily to the Secretary of Natural Resources and secondarily, in consultation with the Secretary of Natural Resources, to such other executive branch officials as is consistent with the purposes and policies of this Act, provided:
1. To the extent that the legislative and judicial branches control Cherokee Nation facilities and day-to-day facility operational processes, the mandatory provisions of this Act are advisory subject to such inter-branch agreements and may be placed into practice or formally executed from time to time.

Section 5. Definitions

- A. **Recycling:** Processes or activities that include collecting recyclable materials that would otherwise be considered waste, sorting and processing recyclables into raw materials such as fibers, and manufacturing raw materials into new products, as well as activities to recover and reuse materials for their original purpose, irrespective of whether Cherokee Nation or its entities engage in all aspects of the recycling process.
- B. **Waste Reduction:** The process of minimizing the amount and impact of waste generated by human activities.
- C. **Reasonably Optimal Energy Consumption:** A fact-based published determination, made by the Secretary of Natural Resources, that Cherokee Nation, its entities or the Housing Authority of the Cherokee Nation has achieved a reasonably high level of efficient energy consumption that could be improved upon only by an unreasonably high expenditure of resources relative to the improvement.
- D. **Reasonably Optimal Water Consumption:** A fact-based published determination, made by the Secretary of Natural Resources, that Cherokee Nation, its entities or the Housing Authority of the Cherokee Nation has achieved a reasonably high level of efficient water consumption that could be improved upon only by an unreasonably high expenditure of resources relative to the improvement.

- E. Reasonably Optimal Food Waste Efficiency: A fact-based published determination, made by the Secretary of Natural Resources, that Cherokee Nation, its entities or the Housing Authority of the Cherokee Nation has achieved a reasonably high level of food waste efficient that could be improved upon only by an unreasonably high expenditure of resources relative to the improvement.
- F. Light Pollution: The alteration of the natural patterns of light and dark in ecosystems, resulting from artificial lighting

Section 6. Substantive Provisions

A. Programs Defined and Authorized, Mandated Plans and Reports:

- 1. Policy of Reducing of Energy Consumption: It shall be the policy of the Cherokee Nation to reduce net energy consumption within facilities or on land owned or controlled by Cherokee Nation, each of its entities and the Housing Authority of the Cherokee Nation every three years beginning in fiscal year 2027, unless the Secretary of Natural Resources declares that Cherokee Nation, its entities or the Housing Authority of the Cherokee Nation achieved a state of Reasonably Optimal Energy usage, provided:
 - a. Measure of energy consumption should be limited to those facilities or land which are customarily climate controlled, lit with artificial lighting or have outdoor operations which substantially utilize grid-supplied electricity on a square footage basis.
 - b. Measure of such energy consumption shall be determined by the Secretary of Natural Resources on such basis as the Secretary determines, by regulation, meets the purposes and policies of this Act.
- 2. Policy of Reducing Water Consumption: It shall be the policy of the Cherokee Nation to reduce net water consumption within facilities or on land owned or controlled by Cherokee Nation, each of its entities and the Housing Authority of the Cherokee Nation every three years beginning in fiscal year 2027, unless the Secretary of Natural Resources declares that Cherokee Nation, its entities or the Housing Authority of the Cherokee Nation achieved a state of Reasonably Optimal Water Consumption, provided:
 - a. Measure of water consumption should be limited to those facilities which are customarily supplied with water service and land which is customarily irrigated, on a square footage basis.
 - b. Measure of such water consumption shall be determined by the Secretary of Natural Resources on such basis as the Secretary determines, by regulation, meets the purposes and policies of this Act.
- 3. Policy of Reducing Food Waste: It shall be the policy of the Cherokee Nation to

reduce food waste operations controlled by Cherokee Nation, each of its entities and the Housing Authority of the Cherokee Nation every three years beginning in fiscal year 2027, unless the Secretary of Natural Resources declares that Cherokee Nation, its entities or the Housing Authority of the Cherokee Nation achieved a state of Reasonably Optimal Food Waste Efficiency, provided:

- a. Measure of food waste consumption should be limited to those operations where food is customarily prepared and or provided for mass consumption pursuant to the commercial or public service interests of the Cherokee Nation, its entities or the Housing Authority of the Cherokee Nation.
- b. Measure of such food waste shall be determined by the Secretary of Natural Resources on such basis as the Secretary determines, by regulation, meets the purposes and policies of this Act.

4. **Policy of Reducing Light Pollution:** It shall be the policy of the Cherokee Nation to reduce the incidence of light pollution resulting from its use of artificial lighting beginning in fiscal year 2027 through strategies recommended by the Secretary of Natural Resources to Cherokee Nation, its entities and the Housing Authority of the Cherokee Nation.

5. **Cherokee Nation Office of Energy:** An office within the Department of Natural Resources, which provides planning, oversight, recommendations, policies, regulations and other activities to effectuate the purposes and polices of this Act, including but not limited to:

- a. Serving as a clearinghouse of information, approvals and/or consultation for all matters relating to energy usage in facilities operated by Cherokee Nation, its entities and the Housing Authority of the Cherokee Nation.
- b. Establishing energy efficiency goals or mandates for Cherokee Nation, its entities and the Housing Authority of the Cherokee Nation.
Requiring Cherokee Nation Departments, Entities and the Housing Authority of the Cherokee Nation to submit plans and projects substantially impacting energy and natural resources consumption for review and comment prior to their implementation.

6. **Cherokee Nation Three-Year Energy and Sustainability Plan:** A plan issued by the Secretary of Natural Resources relating to all energy consumption by Cherokee Nation, its entities and the Housing Authority of the Cherokee Nation, and relating to sustainability goals of the tribe, provided:

- a. Such plan be issued every three years commencing with Fiscal Year 2027, with such inaugural plan issued no later than December 31, 2026.
- b. The plan shall consolidate the reporting requirements of the “Clean Energy Task Force,” as mandated under Executive Order 2024-03-CTH, and incorporate all content requirements previously attributed to the “Strategic Energy Plan.” in addition to those set forth herein:

- (1) Such plan broadly assesses:
 - (a) The state of energy consumption, major investments increasing energy efficiency, and energy efficiency goals for three-year plan period.
 - (b) The state of recycling activity, major achievements or policies relating to recycling and recycling goals for the three-year plan period.
 - (c) The state of other sustainability related initiatives identified within the “Strategic Energy Plan” first issued in April 2025.
 - (d) Recommendations to reduce light pollution consistent with this Act.

- (2) Such plan specifically assesses whether Cherokee Nation, each of its entities and the Housing Authority of the Cherokee Nation are:
 - (a) Compliant with the policy of reduction energy consumption and water consumption.
 - (b) In a state of Reasonably Optimal Energy Consumption or Reasonably Optimal Water Consumption
 - (c) Non-Compliant with the policy of reduction energy consumption and water consumption.

7. Cherokee Nation Recycles: A program administered by the Secretary of Natural Resources in the interests of increasing recycling activities and reducing waste by Cherokee Nation, its entities and the Housing Authority of the Cherokee Nation, which:

- a. Provides workforce education on recycling and waste reduction.
- b. Provides public education on recycling and waste reduction.
- c. Establishes and publishes recycling and waste reduction goals.
- d. Issues policies, rules and regulations relating to recycling and waste reduction.

8. Litter Free Cherokee Nation: A program administered by the Secretary of Natural Resources to reduce litter and other material or substance disposal within the Cherokee Nation reservation, which:

- a. Provides workforce education on the impact of littering.
- b. Provides public education on the impact of littering.
- c. Establishes goals, policies, rules and regulations to reduce littering.
- d. Coordinates with Gadugi Corps and Cherokee Nation Community and Cultural Outreach to assist with public and community non-profit volunteer-based litter remediation efforts and coordinates with the departments or sub-units of Cherokee Nation, its entities and the Housing Authority of the Cherokee Nation for employee-based litter remediation efforts.

- e. Makes recommendations to the Principal Chief and the Council as to policies, regulations and/or legislation to effectuate the purposes and policies of this section of the Act.

9. **Cherokee Nation Energy and Sustainability Act Annual Report:** The Secretary of Natural Resources shall replace the “Annual Energy Report” previously mandated under Executive Order 2024-03-CTH with a “Cherokee Nation Energy and Sustainability Act Annual Report,” commencing with fiscal year 2027, no later than December 31 of each fiscal year, to the Principal Chief, the Speaker of the Council, the Chairperson of the Cherokee Nation Environmental Protection Commission and, within 60 days thereafter made available for public inspection including by posting on Cherokee Nation’s website, provided such report:

- a. Summarizes efforts to achieve the purposes of policies of this Act during the preceding fiscal year.
- b. Measures progress against goals established by the Cherokee Nation Three-Year Energy and Sustainability Plan.

10. **Executive Orders Remain Effective:** Any executive orders relating to energy usage and recycling as of the effective date of this Act, except to the extent such orders may conflict with this Act, remain in full force and effect and nothing herein restricts the Principal Chief from issuing Executive Orders in the subject areas relevant to this Act, provided such orders are not inconsistent with rules, policies or regulations issued by the Secretary of Natural Resources pursuant to this Act.

11. **Consultation with Cherokee Nation Environmental Protection Commission:** All programs, policies, rules, and projects authorized under this Act that may affect environmental quality, recycling, waste management, water conservation, or pollution control shall be developed and implemented in consultation with the Cherokee Nation Environmental Protection Commission (EPC). No rule, standard, or permit issued pursuant to this Act shall conflict with or supersede EPC regulations unless expressly amended by the Council of the Cherokee Nation.

Section 7. Repeal of Legislative Act 18-09, the Reduce, Reuse and Recycle Act of 2009

This Act shall repeal Legislative Act 18-09, the “Reduce, Reuse and Recycle Act of 2009,” in its entirety.

Section 8. Council Appropriations and Oversight

Nothing herein supplants the Council’s constitutional and statutory role in budget appropriations or oversight.

Section 9. Reference to the Act

The conduct of all activities authorized by this Act shall be designated as having been pursuant to or made possible by the Cherokee Nation Energy and Sustainability Act of 2026, or such alternate name and/or through such insignia consistent with this Act as determined by the Principal Chief.

Section 10. Provisions as Cumulative

The provisions of this Act shall be cumulative to existing law.

Section 11. Severability

The provisions of this Act are severable and if any part of provision hereof shall be deemed void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Act.

Section 12. Effective Date: Emergency Declared

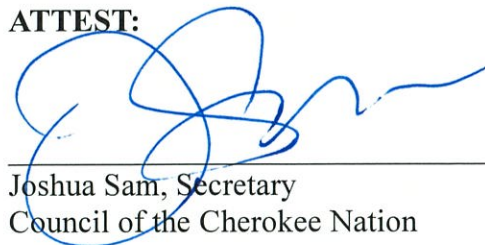
It being immediately necessary for the welfare of the Cherokee Nation, the Council hereby declares that an emergency exists, by reason whereof this Act shall take effect immediately upon its approval and signatures.

Enacted by the Council of the Cherokee Nation on the 30th day of April, 2026.



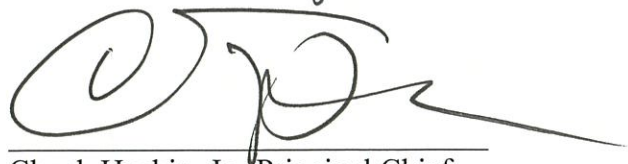
Johnny Jack Kidwell, Speaker
Council of the Cherokee Nation

ATTEST:



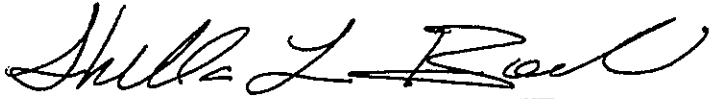
Joshua Sam, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 4th day of May, 2026.



Chuck Hoskin, Jr., Principal Chief
Cherokee Nation

ATTEST:



Shella Bowlin, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Sasha Blackfox-Qualls	<u>Yea</u>	Clifton Hughes	<u>Yea</u>
Candessa Tehee	<u>Yea</u>	Melvina Shotpouch	<u>Yea</u>
Lisa Hall	<u>Yea</u>	Dora Smith Patzkowski	<u>Yea</u>
Uriah Grass	<u>Yea</u>	Kendra McGeady	<u>Absent</u>
Ashley Grant	<u>Yea</u>	Joe Deere	<u>Yea</u>
Daryl Legg	<u>Yea</u>	Kevin Easley Jr.	<u>Yea</u>
Joshua Sam	<u>Yea</u>	Danny Callison	<u>Yea</u>
Codey Poindexter	<u>Yea</u>	Julia Coates	<u>Absent</u>
		Johnny Jack Kidwell	<u>Yea</u>

ADMINISTRATIVE CLEARANCE

**Cherokee Nation
Act/Resolution Proposal Form**

Act Resolution

Dept/Program:

TITLE:

**CHEROKEE NATION ENERGY AND
SUSTAINABILITY ACT OF 2026**

Signature/Initial Date

DEPARTMENT CONTACT: Chuck Hoskin, Jr.

Executive Director:

RESOLUTION PRESENTER: Canaan Duncan

Signature/Initial Date

COUNCIL SPONSOR: Dora Patszkowski, Lisa Hall,
Josh Sam, Clifton Hughes

Treasurer (Required:
Grants/Contracts/Budgets):

NARRATIVE:

The purpose of this Act is to repeal the Reduce, Reuse and Recycle Act of 2009," and replace it with the "Cherokee Nation Energy and Sustainability Act of 2026," to mandate sustainability and energy efficiency goals under the Secretary of Natural Resources, to authorize relevant programs, to consolidate requirements related to energy and sustainability reporting, and to establish the Cherokee Nation Office of Energy within the Natural Resources Department.

Signature/Initial Date

Government Relations:


Signature/Initial Date

Administration Approval:

 03/31/2026
Signature/Initial Date

LEGISLATIVE CLEARANCE:


Legal & Legislative Coordinator:

 3/31/26
Signature/Initial Date

Standing Committee & Date:

Resource 4/13/26

Chairperson:

 _____
Signature/Initial Date