

Committee: Rules
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RESOLUTION NO. 34-23

COUNCIL OF THE CHEROKEE NATION

A RESOLUTION EXPRESSING NO CONFIDENCE IN WES NOFIRE, OKLAHOMA GOVERNOR KEVIN STITT'S NATIVE AMERICAN LIAISON, AND CALLING FOR HIS RESIGNATION FOR MAKING VARIOUS PUBLIC STATEMENTS AGAINST THE SOVEREIGN INTERESTS OF THE CHEROKEE NATION

WHEREAS the Cherokee Nation, since time immemorial, has exercised the sovereign right of self-government on 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 under [Oklahoma law](#) the Governor may appoint a Native American Liaison whose duties include, but are not limited to, monitoring all state - tribal compacts, monitoring state agency tribal consultation policies, funding opportunities for tribes and "Ensure continuing outreach to tribes and shall establish and maintain relationships with tribes";

WHEREAS on the 5th day of September 2023 Oklahoma Governor Kevin Stitt announced the [appointment](#) of Wes Nofire to the position of Oklahoma Native American Liaison;

WHEREAS on or about the 9th day of September 2021 Councilor Nofire [endorsed](#) the following assertions, among others, in *Comingdeer v. Cherokee Nation Election Commission*, SC 21-06 (Petitioner's Objection, filed Sept. 3, 2021): "The courts of the modern Cherokee Nation since its existence by creation through the 1970 Principal Chiefs Act have never legally established a jurisdictional court over the citizens of the Cherokee Nation. The Principal Chiefs Act may grant legal authority to create a tribe's own operational court to handle internal conflicts between branches of government, employee conflicts, and/or interpretations of contracts the Cherokee Nation enters, but the law is specific that it gives no authority to a court in which it maintains criminal or civil jurisdiction of its citizens. Therefore, the Cherokee Nation is abusing its legal authority from that of the Principal Chiefs Act";

WHEREAS during the October Rules Committee meeting Councilor Nofire stated, again without any factual basis, that the actions of the Cherokee Nation following the landmark United States Supreme Court's decision in *McGirt v. Oklahoma*, which reaffirmed the historic treaty reservation boundaries of the Cherokee Nation, was a contributing factor to rising crime rates and jurisdictional uncertainty in Oklahoma and neighboring states;

WHEREAS the Councilor Nofire made multiple statements [contrary to the interests of the Cherokee Nation](#) in various public forums and media interviews during his unsuccessful campaign for Oklahoma's Second Congressional District Seat. In each of these statements Councilor Nofire openly advocated against the sovereign interests of the Cherokee Nation by characterizing the

historic *McGirt* decision, which ultimately reaffirmed the existence of the Cherokee Nation Reservation, as “the greatest threat to Oklahoma”;

WHEREAS during this same time period, Councilor Nofire met with and assisted Oklahoma Governor Kevin Stitt and former Oklahoma Attorney General John O’Connor to discuss assistance in their efforts to oppose the sovereignty of the Cherokee Nation in the case of *Oklahoma v. Castro-Huerta*, then pending before the United States Supreme Court;

WHEREAS during the December 2022 Executive & Finance Committee meeting Councilor Nofire alleged that Cherokee Nation Businesses, through its subcontractors, had allowed or were otherwise complicit in the trafficking of children residing in the Emergency Intake Site in Pomona, California. This site is administered by subcontractors for Cherokee Nation Businesses on behalf of the United States Department of Health and Human Services for the housing and care of unaccompanied migrant children arriving from the southern border of the United States;

WHEREAS during the April 2023 Executive & Finance Committee meeting Councilor Nofire was in attendance for a presentation by representatives of Cherokee Nation Businesses detailing its administration of the Emergency Intake Site in Pomona, California. This presentation detailed the measures taken by Cherokee Nation Business subcontractors to assure compliance with Federal and State law as well as the care and wellbeing of the minors under their care. At this meeting representatives of Cherokee Nation Businesses definitively refuted any previous allegations of having allowed or having been complicit in the trafficking of children residing in the Pomona, CA facility;

WHEREAS during the May 2023 Executive & Finance Committee Councilor Nofire knowingly reiterated false accusations of wrongdoing previously levied at Cherokee Nation Businesses and its subcontractors, each of which was specifically dispelled during the previous April 2023 meeting by representatives of Cherokee Nation Businesses. Councilor Nofire knowingly and intentionally repeatedly broadcasted false allegations of child trafficking directed at the officers and officials of the Cherokee Nation and Cherokee Nation Businesses. These false allegations go beyond political discourse and may equate to a level of libel and slander;

WHEREAS on or about the 27th day of May 2023 and continuing thereafter, Councilor Nofire utilized paid social media outlets to promote these knowingly false allegations in order to damage the reputation of the Cherokee Nation and its business entities. These allegations included the knowingly false statements: “Hoskin has been child trafficking using Cherokee Nation’s federal contracting vehicle, Cherokee Federal,” in reference to Chuck Hoskin, Jr., the Principal Chief of the Cherokee Nation;

WHEREAS in his opinion piece in the [Straight Forward Free Press](#) dated the 21st day of July 2023, former Councilor Nofire made various false, bizarre, and unsubstantiated claims about Cherokee Nation, including that Cherokee Nation is controlled by Satan and that Cherokees descend from the “Lost Tribe of Israel”;

WHEREAS in his four years serving on the Tribal Council of the Cherokee Nation, Councilor Nofire failed to demonstrate sufficient knowledge of tribal sovereignty issues, attacked the Cherokee Nation’s sovereignty, and aligned with Governor Stitt’s positions opposing tribal sovereignty;

WHEREAS Governor Stitt’s [record of hostility](#) against tribal sovereignty includes seeking the termination of state - tribal gaming compacts, refusing to negotiate in good faith on a renewal of

the state - tribal hunting and fishing compacts, criticizing the historic *McGirt* decision, seeking to have the *McGirt* decision reversed or undermined in subsequent court cases, supporting the exclusion of Tulsa and other municipal governments from the scope of the *McGirt* decision, declaring that he would stop the assertion of tribal sovereignty by Cherokee Nation and other tribes and described the same as a “[storm of injustice](#)”;

WHEREAS on or about the 10th day of September 2023 Oklahoma Native American Liaison Nofire asserted "I feel like the Governor's on the right page" with respect to his views on tribal sovereignty;

WHEREAS the Tribal Council of the Cherokee Nation recognizes that the position of Native American Liaison is critical to good relations between Cherokee Nation and the State of Oklahoma;

WHEREAS the Tribal Council of the Cherokee Nation recognizes that the individual holding the position of Native American Liaison must possess an intellect, public demeanor, and understanding of tribal sovereignty, diplomacy skills, a demonstrated record building relationships with tribal leaders, and must not have engaged in conduct or rhetoric opposing tribal sovereignty;

WHEREAS the Tribal Council of the Cherokee Nation finds that Wes Nofire does not sufficiently possess the traits set forth in the preceding paragraph to serve in the position of Oklahoma Native American Liaison;

BE IT THEREFORE RESOLVED that the Tribal Council of the Cherokee Nation finds that the conduct of Wes Nofire set forth herein, in view of him holding the position of Oklahoma Native American Liaison, presents an intolerable and active threat to the interests of the Cherokee Nation, including tribal sovereignty interest so long as he holds that position;

BE IT FURTHER RESOLVED BY THE CHEROKEE NATION that the Tribal Council of the Cherokee Nation specifically and expressly condemns the dissemination of absolute falsehoods by Wes Nofire, including but not limited to his false claim that Cherokee Nation, Cherokee Nation Businesses and/or Chief Hoskin are now or have ever engaged in “child trafficking,” the allegations of which by itself disqualifies Wes Nofire from holding any public office, including that of Native American Liaison;

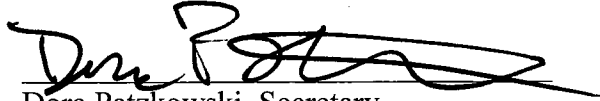
BE IT FURTHER RESOLVED BY THE CHEROKEE NATION that for the reasons set forth herein the Council of the Cherokee Nation has no confidence in Wes Nofire’s ability to serve in the position of Native American Liaison and calls for his resignation or removal from that position.

CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 28th day of September, 2023, having 16 members present, constituting a quorum, by the vote of 16 yea; 0 nay; 0 abstaining.


Mike Shambaugh, Speaker
Council of the Cherokee Nation

ATTEST:



Dora Patzkowski, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 28th day of September 2023.



Chuck Hoskin, Jr., Principal Chief
Cherokee Nation

ATTEST:



Shella Bowlin, Secretary of State
Cherokee Nation