



Council of the Cherokee Nation

Cherokee Nation Tribal
Council
17763 S. Muskogee Ave.
Tahlequah, OK 74464

Legislation Details (With Text)

File #: 20-046 **Version:** 1 **Name:** N/A
Type: Resolution **Status:** To Be Introduced
File created: 8/11/2020 **In control:** TRIBAL COUNCIL
On agenda: 8/27/2020 **Final action:**
Enactment date: **Enactment #:**
Title: A RESOLUTION REGARDING LEGISLATION PROPOSED BY THE FIVE TRIBES AND STATE OF OKLAHOMA
Sponsors: Wes Nofire
Indexes: Five Civilized Tribes
Code sections: N/A - Not Applicable
Attachments:

Date	Ver.	Action By	Action	Result
8/27/2020	1	RULES COMMITTEE	Approved and Forwarded to Council	Fail

A RESOLUTION REGARDING LEGISLATION PROPOSED BY THE FIVE TRIBES AND STATE OF OKLAHOMA

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, Article VI, Section 7, the Constitution of the Cherokee Nation provides the Council the power to establish laws it shall deem necessary and proper for the good of the Cherokee Nation; and

WHEREAS, the State of Oklahoma and certain leaders within the Five Tribes (Cherokee Nation, Choctaw Nation, Chickasaw Nation, Muscogee Creek Nation, and Seminole Nation) released an Agreement in Principle regarding proposed federal legislation that would permanently inhibit the Cherokee Nation’s exercise of sovereignty over the Cherokee Nation reservation recognized in the U.S. Supreme decisions in *McGirt v. Oklahoma* and *Sharp v. Murphy*;

WHEREAS, the Council of the Cherokee Nation opposes any agreement with the State of Oklahoma that has not been not been previously approved by the Council; and

WHEREAS, the inclusion of the Cherokee Nation in this announcement should be excluded until the Council has been fully advised of the agreement and have approved appropriate legislation pursuant to the Council’s Constitutional Powers established under Article VI, Section 7 of the Constitution of the Cherokee Nation.

BE IT RESOLVED BY THE CHEROKEE NATION, that the Tribal Council hereby opposes the inclusion of the Cherokee Nation in the announcement made by the State of Oklahoma and those certain leaders of the Five Tribes and a separate announcement of this Council should be issued that the Cherokee Nation is not to be included in any Agreement in Principal or other implied agreements of any type until the

Council has been fully advised of the terms and implications of those terms, and such terms of agreement have been approved by the Council in the form of appropriate legislation pursuant to the Council's Constitutional Powers established under Article VI, Section 7 of the Constitution of the Cherokee Nation.

BE IT FURTHER RESOLVED BY THE CHEROKEE NATION, that notice should be provided to the Oklahoma's congressional delegation, including Senator Jim Inhofe, Senator James Lankford, Congressman Markwayne Mullin, Congressman Kevin Hern, Tom Cole, Frank Lucas, and Kendra Horn, that the Tribal Council of the Cherokee Nation has not approved the proposed federal legislation included in the Agreement in Principal released on July 16, 2020, by the State of Oklahoma and the Five Tribes.