



Council of the Cherokee Nation

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

Legislation Text

File #: 12-139, Version: 1

A RESOLUTION RATIFYING LITIGATION IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

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, Legislative Act 07-01 provides that litigation brought on behalf of Cherokee Nation and involving substantial assets or sovereignty of the Nation be authorized by the Principal Chief and ratified by the Council;

WHEREAS, on the 30th of July, 2012, the Secretary of the Department of the Interior and the purported Acting Assistant Secretary for Indian Affairs rendered an administrative agency decision. That decision found that "the former reservation of the [Nation] is also the former reservation of the [United Keetoowah Band of Cherokee Indians of Oklahoma ("UKB")]" for purposes of applying the "former reservation" exception in the Indian Gaming Regulatory Act, 25 U.S.C. § 2719(a)(2)(i). The 2012 Decision also found, based on its conclusion that the Cherokee Nation and United Keetoowah Band ("UKB") share a reservation, that the Nation's consent to UKB acquisition of trust land is not required under 25 C.F.R. § 151.81.

WHEREAS, in order to preserve the rights and standing of Cherokee Nation, it is necessary for the Nation to file suit against the Secretary of the Department of the Interior and the purported Acting Assistant Secretary for Indian Affairs, in the United States District Court for the Northern District of Oklahoma.

BE IT RESOLVED BY THE CHEROKEE NATION, that litigation in United States District Court for the Northern District of Oklahoma, Cherokee Nation, et al v. Salazar, et al, 12 CV- 493 MT TLW is hereby ratified and the Attorney General is authorized to take such action as necessary to pursue such litigation and ensure that the Nation's interests are fully represented.