

The INTER-TRIBAL COUNCIL of the FIVE CIVILIZED TRIBES

**The INTER-TRIBAL COUNCIL
of the FIVE CIVILIZED TRIBES
organized February 3, 1950**



Bill John Baker
Principal Chief

A Resolution Supporting the Position of Cherokee Nation In Opposition to the U.S. Court Of Appeals, D.C. Circuit's application of Ex Parte Young to Tribal Sovereignty

Resolution No. 13-11



Bill Anoatubby
Governor

WHEREAS, Indian tribes have the inherent right to define their own citizenship and that right is central to the continued existence of Indian tribes as a political community.



Gregory Pyle
Principal Chief

WHEREAS, the U.S. Court of Appeals for the District of Columbia recently held *Vann et al., v. Dept. of Interior et al* (USCA 11-5322) that tribal officers could represent the interest of a tribal government and therefore could be sued in their official capacity under the Ex Parte Young Doctrine.



George Tiger
Principal Chief

WHEREAS, allowing a lawsuit against tribal officials to go forward by applying the Ex Parte Young Doctrine violates tribal sovereignty and a fundamental interest of Indian tribes to govern themselves.



Leonard M. Harjo
Principal Chief

WHEREAS, the application of Ex Parte Young Doc to tribal officials threatens the sovereignty of every tribal government.

NOW THEREFORE BE IT RESOLVED, the Inter-Tribal Council of the Five Civilized Tribes pledges support for the position of the Cherokee Nation in its opposition to the U.S. Court Of Appeals, D.C. Circuit's application of Ex Parte Young to Tribal Sovereignty.

CERTIFICATION

The foregoing resolution was adopted by the Inter-Tribal Council of the Five Civilized Tribes meeting in Durant, Oklahoma on this 2nd day of February, 2013, by a vote of All in favor for none against and 0 abstentions.

Bill Anoatubby, Governor
The Chickasaw Nation

George Tiger, Principal Chief
Muscogee (Creek) Nation

Gregory E. Pyle, Chief
Choctaw Nation of Oklahoma

Leonard M. Harjo, Principal Chief
Seminole Nation of Oklahoma

Bill John Baker, Principal Chief
Cherokee Nation