

The INTER-TRIBAL COUNCIL of the FIVE CIVILIZED TRIBES

A Resolution Supporting the Cherokee Nation's Assertion of Its Treaty Right to a Delegate in the United States House of Representatives

Resolution No. 19-27



Chuck Hoskin Jr.
Principal Chief



Bill Anoatubby
Governor



Gary Batton
Chief



James R. Floyd
Principal Chief



Greg P. Chilcoat
Chief

WHEREAS, the Inter-Tribal Council of the Five Civilized Tribes ("ITC") is an organization that unites the tribal governments of the Cherokee, Chickasaw, Choctaw, Muscogee (Creek), and Seminole Nations, representing more than 750,000 Indian people throughout the United States; and

WHEREAS, the Cherokee, Chickasaw, Choctaw, Muscogee (Creek), and Seminole Nations are Indian tribes whose inherent sovereignty preexists that of the United States and who have held a historic and continual government-to-government relationship with the United States; and

WHEREAS, the Constitution of the United States, through Treaty, Commerce, Supremacy and Apportionment Clauses and the 14th Amendment, recognizes the inherent sovereignty of Indian Tribes and Nations established prior to the United States; and

WHEREAS, through treaties, statutes, executive orders and other legal agreements and laws, the United States took on many legal and moral obligations to Indian people in exchange for hundreds of millions of acres of land; and

WHEREAS, since its founding, the Inter-Tribal Council has urged the United States government to fulfill treaty obligations and uphold the federal trust responsibility; and

WHEREAS, Article 7 of the Cherokee Nation's 1835 Treaty of New Echota with the United States sets forth, "The Cherokee Nation having already made great progress in civilization and deeming it important that every proper and laudable inducement should be offered to their people to improve their condition as well as to guard and secure in the most effectual manner the rights guaranteed to them in this treaty, and with a view to illustrate the liberal and enlarged policy of the Government of the United States towards the Indians in their removal beyond the territorial limits of the States, it is stipulated that they shall be entitled to a delegate in the House of Representatives in the United States whenever Congress shall make provision for the same"; and

WHEREAS, in addition to explicit language in Article 7 of the 1835 Treaty of New Echota, the Cherokee Nation's first treaty with the United States, the 1785 Treaty of Hopewell, also includes the right to a congressional deputy in Article 12 and the 1866 Treaty with the

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Cherokee Nation, affirms the Cherokee Nation's right to a delegate in Article 31; and

WHEREAS, aside from the Treaty of New Echota, the 1778 Delaware Treaty and the 1830 Choctaw Treaty of Dancing Rabbit Creek also contemplate tribal representation in Congress; and

WHEREAS, in 2017, the United States District Court for the District of Columbia ruled that the rights and obligations established under the 1866 treaty remain in effect for the Cherokee Nation and the United States; and

WHEREAS, Section 12 of the Cherokee Nation Constitution requires the Principal Chief to appoint a Delegate to the United States House of Representatives and that Delegate is to be confirmed by the Council of the Cherokee Nation; and

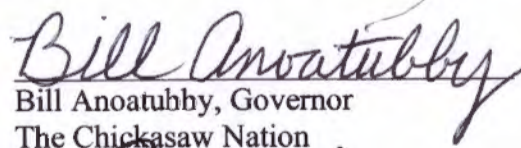
WHEREAS, Cherokee Nation Principal Chief Chuck Hoskin, Jr. exercised the Nation's treaty right by appointing its first Delegate, Kimberly Teehee, to Congress; and

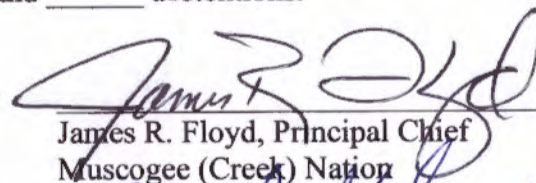
WHEREAS, the Cherokee Nation Tribal Council confirmed Kimberly Teehee as its Delegate to Congress on September 9, 2019.

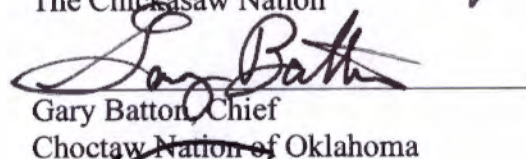
NOW THEREFORE LET IT BE RESOLVED THAT, the Inter-Tribal Council of the Five Civilized Tribes hereby supports the Cherokee Nation's action to exercise its treaty right and calls upon the House of Representatives to fulfill its obligation to the Cherokee Nation by seating Delegate Kimberly Teehee in Congress.

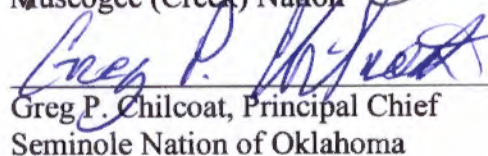
CERTIFICATION

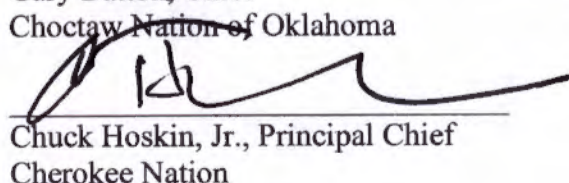
The foregoing resolution was adopted by the Inter-Tribal Council of the Five Civilized Tribes meeting in Durant, Oklahoma on this 11th day of October, 2019, by a vote of _____ for _____ against and _____ abstentions.


Bill Anoatubby, Governor
The Chickasaw Nation


James R. Floyd, Principal Chief
Muscogee (Creek) Nation


Gary Batton, Chief
Choctaw Nation of Oklahoma


Greg P. Chilcoat, Principal Chief
Seminole Nation of Oklahoma


Chuck Hoskin, Jr., Principal Chief
Cherokee Nation