

Cherokee Nation Code Annotated

Title 8: Cemeteries

Chapter 1: Cemeteries Preservation

§ 6. Authorization of the Cherokee Nation Historic Cemeteries Survey and Preservation Fund; Registry, Activities

Cite as: 8 CNCA § 6

A. Authorized activities: The Principal Chief by his or her designee, is authorized to:

1. Conduct a "Survey of Cherokee Nation Historic Cemeteries," identifying:

- a. Cemetery name,
 - b. Number of known burials,
 - c. Geographic coordinates,
 - d. Area measurement,
 - e. An accurate depiction of the cemetery in digitally stored photographs and/or videos,
 - f. All other data sufficient to generate a map, including the use of technology such as ground penetrating radar, to determine exterior boundaries,
 - g. Whether a church, organization or other entity regularly provides maintenance or preservation work,
 - h. Status of land title,
 - i. Means and quality of physical access,
 - j. Cemetery capacity, opportunities for expansion and recommendations thereto,
 - k. Brief summary of relevant historic facts concerning the cemeteries creation, relationship to a community, relationship to a church and/or relationship to historical events or historical Cherokee Nation leaders,
 - l. Summary description as to the physical state of the cemetery, using a consistent range of descriptors for all cemeteries and utilizing a scoring system useful for prioritizing preservation work on those cemeteries most endangered of irreparable loss or damage.
2. Create a "Registry of Cherokee Nation Historic Cemeteries," consistent with this Act, maintained by the Secretary of Natural Resources, making said registry available for public access.

3. Conduct appropriate and necessary preservation work on Cherokee Nation Historic Cemeteries, to the extent authorized and appropriated funding allows and prioritizing preservation work based on the relative endangered status of said cemeteries.
4. Execute subcontracts, memoranda of understanding or agreement with qualified third parties, or administer grants to qualified third parties, to effectuate the purposes and policies of the Section 5, §4 of this Act and/or the reporting and publishing requirements of Section 5, §7, of this Act.
5. Administer, as part of the Cherokee Nation Historic Cemeteries Survey and Preservation Fund, the programs administered and managed by Cherokee Nation Community and Cultural Outreach department as of the date of enactment of this Act, also known as the "Cemetery Preservation/Restoration Assistance Program" and the "Historic Headstone Grant Fund," continuing that program in effect as an authorized program under this Act and including data relating to that program in the reports required by this Act.
6. Coordinate with the Gadugi Corps program to encourage Gadugi Corps Volunteers or Gadugi Corps National Service Participants to assist in any of the activities authorized by this Act.
7. Utilize, as part of the funding authorized herein, funds authorized by the Public Health and Wellness Fund Act, as amended, to improve physical accessibility to said Cherokee Nation Historic Cemeteries.
8. Utilize, as part of the funding authorized herein, funds authorized by the Housing, Jobs and Sustainable Communities Act, as amended, for the construction of public facilities at Cherokee Nation Historic Cemeteries to improve access to, or historical interpretation of, said Cherokee Nation Historic Cemeteries.
9. Direct the Secretary of Natural Resources to designate, pursuant to the Cherokee Nation Registry of Historic Places Act, as amended, all Cherokee Nation Historic Cemeteries on the Cherokee Nation Historic Registry beginning no later than December 31, 2025, subsequently adding such additional said cemeteries to said registry within one year of said cemetery designation.
10. Utilize, as part of the funding authorized herein, funds authorized by the Cherokee Nation Historic Places Preservation Fund Act, upon designation of Cherokee Nation Historic Cemeteries on the Cherokee Nation Registry of Historic Places.
11. Cause to be published a book documenting Cherokee Nation Historic Cemeteries, consistent with Section 5, §7, of this Act.

Historical Data

LA 28-25, eff. October 1, 2025.