

Cherokee Nation Code Annotated

Title 19: Council

Chapter 3: Salaries and Expenses

§ 21. Salaries for Future Terms of Elected Officials

Cite as: 19 CNCA § 21

For all duly elected officials serving on August 2011, and thereafter the annual salaries for the Principal Chief, Deputy Principal Chief, and Council Members of the Cherokee Nation shall be based on the report submitted by a citizen committee.

Annual salaries and any additional benefit, including non-monetary compensation, for the Principal Chief, Deputy Principal Chief, and members of the Council of the Cherokee Nation shall be determined by the Citizen Committee on Compensation.

1. The Citizens Committee on Compensation shall be comprised of five (5) total Cherokee citizens eighteen years of age (18) or older. Two (2) citizens shall be appointed by the Principal Chief, two (2) appointees by the Council of the Cherokee Nation, and a single fifth member selected by the four appointees.
2. Appointments of the Principal Chief shall be made through an official letter to the Speaker of the Council, appointments by the Council of the Cherokee Nation shall be made through a Council Resolution, and the appointment of the fifth (5) member shall be made through an official letter to both the Principal Chief and Speaker of the Council of the Cherokee Nation.
3. The Citizen Committee on Compensation shall be paid five hundred dollars (\$500.00) per committee member to cover all expenses they incur to attend up to three meetings per calendar year, subject to the meeting limitations set forth herein.
4. The Citizen Committee on Compensation shall reconvene prior to the filing period for elected offices in the election year of the Principal Chief to make its findings and report and meet every four years (4) years thereafter. The committee shall submit their report prior to July 1st, its initial meeting no later than sixty (60) days following enactment of this Act, in order to establish the compensation for all present and future terms of office through completion of the 2025 General Election, and shall complete its findings and report within sixty (60) days thereafter. The Committee and shall notify the Office of the Principal Chief and the Council of the Cherokee Nation of its findings upon submission of a written memorandum. This memorandum shall be signed by all members of the Committee to affirm consensus.

5. Beginning in November of 2023 the Principal Chief and the Council of the Cherokee Nation shall appoint citizens to the committee in staggered terms. In order to stagger terms initial appointments shall be made as follows:

Seat One (1), Chief Appointment, shall be appointed for one (1) year

Seat Two (2), Council Appointment, shall be appointed for two (2) years

Seat Three (3), Chief Appointment, shall be appointed for three (3) years

Seat Four (4), Council Appointment, shall be appointed for four (4) years

Seat Five (5), Committee Appointment, shall be appointed for five (5) years.

All subsequent appointments will be for a term of five (5) years.

The Citizen Committee on Compensation shall be authorized to select a Chair and such other officers as it deems warranted among its members to aid in the conduct of its meetings.

6. The Citizens Committee on Compensation shall reconvene subsequent to the candidate filing period for the 2025 Cherokee Nation General Election and in January of 2024 and biennially in Cherokee Nation general election years in evenly numbered years thereafter. The Committee shall issue any reports and findings on compensation by memorandum no later than March 31st July 30th of said election years. The Committee shall notify the Office of the Principal Chief and the Council of the Cherokee Nation of its findings by written memorandum upon completion. This memorandum shall be signed by all members of the Committee to affirm consensus.

7. The Citizen Committee shall consider relevant comparative salary levels including, but not limited to, salary information from other Tribal Governments, state and local governments, and the private sector. The Citizens Committee may use the Cherokee Nation's Human Resources, the Treasurer's Office and the Council of the Cherokee Nation's Financial officer among its sources of information and said report shall state clear and specific determinations as to increasing, otherwise enhancing or maintaining the status quo of compensation.

8. The final report of the Citizens Committee shall exclusively, by operation of law under this Act, set the salaries for all elected officials of the Cherokee Nation, and shall be effective upon issuance and commensurate with the following bi-weekly Cherokee Nation payroll cycle.

a. Reaffirmation as to Reports: To the extent not otherwise established by law, the Council and the Principal Chief hereby reaffirm Final Reports of the Citizens Committee on

Compensation of January 27, 2022 and of March 30, 2024 as valid and effective law by operation of Section 5.D.8 of this Act and otherwise ratify said reports as valid and effective delegations of the Council's authority, and affirm the same as to any future reports of the Citizens Committee on Compensation issued pursuant to this Act and affirm all matters relating to compensation in all aforementioned reports as "salaries" within the meaning of Section 5.D.8 of this Act.

b. Implementation Authority: The Executive Director of Cherokee Nation Human Resources is authorized to implement the purposes, policies and provisions of this Act and, any Citizen Committee on Compensation Final Reports issued under authority of this Act, through practices, policies or procedures consistent with this Act.

9. Supreme Court: Consistent with the recommendation of Citizens Committee on Compensation Report of March 30, 2024, compensation for Justices of the Cherokee Nation Supreme Court is hereby aligned with that of the Council of the Cherokee Nation and any adjustments made thereto pursuant to future actions of the Citizens Compensation Committee to Council compensation, as follows:

a. Salary: Salaries of Justices of the Cherokee Nation Supreme Court shall be no less than members of the Council of the Cherokee Nation, with the salary of the Chief Justice no less than salary of the Speaker of the Council of the Cherokee Nation.

b. Fringe Benefits: Fringe benefits available to members of the Supreme Court shall be consistent with fringe benefits available to members of the Council of the Cherokee Nation.

c. Post Service Benefits: Post-service benefits available to former members of the Supreme Court, serving as of and after the date of this Act, shall be consistent with post service benefits made available to members of the Council of the Cherokee Nation.

Historical Data

LA 05–85, eff. July 13, 1985. Amended LA 24–87, eff. October 29, 1987; LA 11–91, eff. August 10, 1991; LA 05–95, eff. October 15, 1995, repealed by LA 17–09, eff. June 22, 2009. Amended LA 08–97, eff. May 12, 1997; LA 28–99, eff. December 18, 1999; LA 28–01, eff. August 13, 2001; LA 18–03, eff. August 18, 2003; LA 42–03, eff. December 30, 2003; LA 40–07, eff. November 20, 2007; LA 17–09, eff. June 21, 2009; LA 05–11, eff. February 22, 2011; LA 10–12, eff. March 13, 2012; LA 01–15, eff. March 11, 2015. Amended LA 50–21, eff. November 15, 2021. Amended LA 18–24, eff. May 30, 2024.