

Cherokee Nation Code Annotated

Title 62: Public Finance

Chapter 14: Cherokee Nation USA Trust Settlement Investment Authorization Act of 2025

§ 502. Purpose and Findings

Cite as: 62 CNCA § 502

A. Purpose: The purpose of this Act is to authorize spending and investment of certain funds transferred by the United States to Cherokee Nation in connection with pending trust accounting litigation between the United States and Cherokee Nation.

B. Findings: The Council finds that it previously authorized legal action by Cherokee Nation against the United States asserting various claims relating to the United States' failure to meet its trust accounting obligations to Cherokee Nation, resulting in litigation by the Cherokee Nation's Attorney General, including: *Cherokee Nation v. United States Department of Interior*, 1:19-CV-02154 (2019). On January 14, 2025, the Cherokee Nation Attorney General announced that the dispute reached a settlement on terms favorable to the Cherokee Nation. The net settlement amount to be realized by the Cherokee Nation is approximately \$60,000,000. The Council finds that the Sovereign Wealth Fund Improvement Act of 2021 requires, absent legislative amendment thereof or legislative exception thereto, the deposit of one half of the proceeds of the aforementioned settlement into the Sovereign Wealth Fund. The Council finds that the exigent need to construct a Justice Center and district court facility to house Cherokee Nation's growing criminal and civil justice system was not fully identified by the Council when the Sovereign Wealth Fund Act was enacted in 2017 and amended in 2021, but the need for such a facility is now apparent due to dramatic changes in the scope of Cherokee Nation's criminal justice system obligations. See *McGirt v. Oklahoma*, 591 U.S. 894 (2020); see also *Hogner v. Oklahoma*, 2021 OK CR 4. The Council of the Cherokee Nation therefore finds that exigent circumstances exist requiring the authorization and the expenditure of funds from the aforementioned settlement for the construction of a "Cherokee Nation Justice Center" and a "Cherokee Nation District Courthouse" above any condition imposed by the Sovereign Wealth Fund Improvement Act (LA 33-21). The same is warranted as a narrow exception to that Act.

Historical Data

LA 07-25, eff. February 10, 2025.