



ᎠᎶᏍᎦ ᎠᎩᎠ
CHEROKEE NATION®

P.O. Box 948 • Tahlequah, OK 74465-0948
918-453-5000 • www.cherokee.org

Chuck Hoskin Jr.

Principal Chief

ᎠᎶ ᎠᎩᎠ ᎠᎩᎠ

ᎠᎩᎠᎠᎠ

Bryan Warner

Deputy Principal Chief

ᎠᎩᎠᎠᎠᎠ

ᎠᎩᎠ ᎠᎩᎠ ᎠᎩᎠᎠᎠ

January 30, 2023

Speaker C. Todd Gilbert
Pocahontas Building
900 E. Main St.
Richmond, Virginia 23219

Dear Speaker Gilbert and Members of the Virginia House of Delegates Rules Committee:

As Principal Chief of the Cherokee Nation, I write to you today to express my strong opposition to House Joint Resolution 559 that would extend state recognition to the Wolf Creek Cherokee Tribe of Virginia. The Cherokee Nation maintains a historic and continual government-to-government relationship with the United States. Since time immemorial, the Cherokee Nation has exercised the sovereign rights of self-government on behalf of the Cherokee people, and today, we are more than 440,000 citizens strong and span 7,000 square miles in northeastern Oklahoma. This committee tabled this resolution last session and I urge the Committee to not provide this resolution a hearing or table indefinitely.

The federal government is granted authority by the U.S. Constitution to regulate matters relating to Indian tribes, which includes the process of obtaining federal recognition. The Department of the Interior's Office of Federal Acknowledgement (OFA) currently manages a process for attaining federal recognition, which includes a number of important steps that a petitioner must complete before being granted this status. This process requires that a petitioning group demonstrate that it comprises a distinct community that has existed from historical times to the present day; that it retain political influence over its members; that it has maintained a governing document; and can prove that current members of the group descend from a historic tribe. Tribal governments across the United States have supported this process and continue to place the utmost importance on protecting this procedure for all groups who seek federal recognition.

There are only three federally recognized Cherokee tribes in the United States: Cherokee Nation, Eastern Band of Cherokee Indians, and United Keetoowah Band of Cherokee Indians. These three Indian tribes are the only tribes in the United States with legitimate claim to Cherokee identity, ancestry, and citizenship. As the elected leader of the largest sovereign Indian nation in the United States, I take our sovereignty, our way of life, and our unique identity as Cherokee people seriously. I reject any and all attempts to threaten our government-to-government relationship with the United States, and the sovereignty we have maintained since time immemorial. As such, it concerns me greatly that Wolf Creek Cherokee Tribe, Inc. erroneously claims to be Cherokee, and intends to seek recognition as an Indian tribe from the Commonwealth of Virginia.

The Commonwealth of Virginia has outlined a process for state recognition that includes review by the Virginia Indian Advisory Board. That board has created a workgroup that is currently reviewing the Wolf Creek group's petition and we have also expressed our concerns with that board. The board process for reviewing the petition should not be circumvented by passing this resolution. Additionally, this group does not meet the requirements set forth in the *Code of Virginia*, § 2.2-401.01. Part 2, subsection A, states that "documentation required to meet the criteria for full recognition of the Virginia Indian tribes that is consistent with the principles and requirements of federal tribal recognition." It is clear that the documents presented by the Wolf Creek group do not meet the criteria created by the Virginia Indian Advisory Board. Their purported connections to Cherokee ancestry are unclear and based on historically inaccurate information. Their documentation of fraudulently obtained minority business licenses, inaccurate news articles and ill-conceived preservation awards certainly do not provide a sound legal foundation for the advisory board to recommend recognition.

As sovereign nations, Indian tribes maintain the right to decide who is, and who is not, Cherokee. This is similar to the way in which the United States government maintains the right to decide who is, and who is not, American. If someone erroneously claims to be American, that does not make them American. If a group of people join together and claim to be the United States government, that does not make them the United States government. Likewise, if someone erroneously claims to be Cherokee, that does not make them Cherokee. If a group of people join together and claim to be a Cherokee government, that does not make them a Cherokee government. We must ensure that there is integrity, fairness, and legitimacy to the process of recognition, which has long been established by federal statute (25 CFR Part 83).

It would be irresponsible for the House of Delegates to recognize the contributions of a group claiming a tribal history that is rooted in Cherokee Nation's history, and this is especially egregious given the real suffering experienced by Cherokees who have long fought to maintain a distinct government, culture, and way of life.

I respectfully request that the Rules Committee not provide HJR 559 a hearing and if it does, that it soundly defeats this resolution as it has in previous sessions. I look forward to testifying to the Rules Committee if a hearing is granted and I am happy to answer any questions you may have.

Sincerely,

A handwritten signature in black ink, reading "Chuck Hoskin, Jr." in a cursive script.

Chuck Hoskin, Jr.
Principal Chief of the Cherokee Nation