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WYANDOTTE NATION BOARD OF DIRECTORS

**ACKNOWLEDGING TERRITORIAL JURISDICTION INCLUDES NOW-AFFIRMED
WYANDOTTE RESERVATION**

RESOLUTION NO. 20250114

WHEREAS, the Wyandotte Nation (Nation) is a federally recognized Tribal Nation and possesses inherent sovereign authorities as a Tribal government; and

WHEREAS, Article VII, Section 1 of the Nation's Constitution delegates power and authority to act on behalf of the Nation to the Board of Directors, and Article VII, Section 2 of the Nation's Constitution authorizes and empowers the Board of Directors to make laws to govern the actions of the Nation's citizenship; and

WHEREAS, Article II, Section 1 of the Nation's Constitution describes the territory of the Nation, and Article II, Section 2 of the Nation's Constitution states the jurisdiction of the Nation extends throughout such territory; and

WHEREAS, the description of the Nation's territory in Article II, Section 1 of the Nation's Constitution aligns with other Tribal Nations' constitutions adopted under the Oklahoma Indian Welfare Act and does not reference reservation lands; and

WHEREAS, when the Nation ratified its Constitution, reservations in the State of Oklahoma were wrongly treated by the federal government and the State as disestablished; and

WHEREAS, in 2020, the U.S. Supreme Court held in *McGirt v. Oklahoma* that reservations in Oklahoma continue to exist unless Congress clearly disestablished them; and

WHEREAS, on March 7, 2024, the Oklahoma Court of Criminal Appeals in *Oklahoma v. Fuller* held that the Wyandotte Reservation, which was established in the Treaty of 1867, continues to exist, describing its opinion as "binding and precedential on all parties as to the existence of the Wyandotte Reservation"; and

WHEREAS, United States federal law recognizes that Tribal Nations have jurisdiction within their Indian Country, defined to include lands within the exterior boundaries of their reservations, 18 U.S.C. § 1151; and

WHEREAS, the Bureau of Indian Affairs' sample Tribal constitution now describes a Tribal Nation's territory as including "all lands, water, property, airspace, surface rights, subsurface rights and other natural resources . . . which are located within the boundaries of a reservation which may be established for the Tribe";

WHEREAS, the Board of Directors believes it is in the best interests of the Nation, its citizens, and the Tribal community to interpret Article II, Section 1 of the Nation's Constitution, which describes the territory of the Nation, to include all lands qualifying as the Nation's Indian Country, including lands within the Nation's reservation boundaries; and

NOW THEREFORE BE IT RESOLVED, the Board of Directors, by virtue of the authority provided by the Nation's Constitution, hereby interprets Article II, Section 1 of the Nation's Constitution, which describes the territory of the Nation, as follows:

"The territory of the Wyandotte Nation shall include all lands held by the Nation, or by the United States in trust for the benefit of the Nation or the individual members, or land held under a federal restriction on alienation, and any additional lands acquired by the Nation or by the United States for the benefit of the Nation or individual members, **and any lands which are located within the boundaries of a reservation of the Nation**, including but not limited to all land. air, water, surface, subsurface, natural resources and any interest therein, notwithstanding the issuance of any patent or right-of-way in fee or otherwise, by the government of the United States or the Wyandotte Nation, existing or in the future."


CERTIFICATION

The foregoing resolution was adopted by the Board of Directors of the Wyandotte Nation on 01/14/2025, in Wyandotte, Oklahoma, by a vote of 5 for, 0 against, with 0 abstentions and a quorum being present.

Attest:

Approved:


Board Member


Billy Friend
Chief
Wyandotte Nation