

**CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA**

DATE

RESOLUTION NO. _____ (2026)

**A RESOLUTION TO CORRECT THE OFFICIAL NAME OF THE TRIBE
FROM “EASTERN BAND OF CHEROKEE INDIANS”
TO “EASTERN CHEROKEE NATION”**

WHEREAS, the Charter and Governing Document of the Eastern Band of Cherokee Indians vests full governmental authority in the Tribal Council to enact legislation necessary for the governance, identity, and welfare of the Tribe; and

WHEREAS, the United States Supreme Court has long recognized that Indian tribes retain inherent sovereignty over their internal governance and self-identification, including the authority to determine their own names (*Santa Clara Pueblo v. Martinez*, 436 U.S. 49 (1978); *Worcester v. Georgia*, 31 U.S. (6 Pet.) 515 (1832)); and

WHEREAS, the Federally Recognized Indian Tribe List Act of 1994 (Pub. L. 103-454; 108 Stat. 4791; 25 U.S.C. §§ 5130-5131) requires the Secretary of the Interior to publish and maintain an accurate, regularly updated list of all federally recognized Indian tribes, and pursuant to 25 C.F.R. § 83.6(a), the Bureau of Indian Affairs routinely updates tribal names on the Federal Register list upon verification with the tribal entity; and

WHEREAS, the people known today as the Eastern Band of Cherokee Indians are the direct descendants of the historic and original Cherokee Nation, a sovereign Indigenous nation which existed since time immemorial and maintained continuous presence and governance in the mountains of Western North Carolina; and

WHEREAS, the designation “Eastern Band” did not originate from Cherokee tradition, law, or self-identification, but was an external administrative label applied by federal and state officials in the 19th century to describe us, the Cherokees, who remained in the East following the Removal of 1838-1839; and

WHEREAS, the Tribe’s incorporation under North Carolina law in 1889 cemented this externally imposed label—“Eastern Band of Cherokee Indians”—for purposes of landholding and state governance, and not as a reflection of Cherokee cultural identity, sovereignty, or political continuity; and

WHEREAS, the Cherokee people who remained in their homeland were not a “band” or subordinate segment of another tribe, but a sovereign community, led by their own leaders, living

on lands acquired by themselves and on their behalf by William Holland Thomas, and continuing the governance and identity of the Cherokee Nation; and

WHEREAS, the term “Band” implies a dependent or incomplete political identity, which is inconsistent with the Tribe’s sovereign powers, its modern governmental structure, its federal recognition status, and its unbroken historical continuity; and

WHEREAS, the term “Indians,” although still used in federal statute, is a colonial descriptor that does not reflect the dignity, accuracy, or self-identification of the Cherokee people, who are a sovereign Nation and not merely “Indians” in the generic federal sense; and

WHEREAS, numerous federally recognized tribes have corrected their names through the same administrative process under 25 C.F.R. § 83.6(a) and the Federally Recognized Indian Tribe List Act, and such corrections have been reflected in subsequent Federal Register publications without any alteration to the tribes’ federal recognition, treaty rights, or sovereign authority—including but not limited to the Tohono O’odham Nation (formerly Papago Tribe), the Ho-Chunk Nation (formerly Wisconsin Winnebago), the Muscogee Nation (formerly Muscogee (Creek) Nation), the Northern Cheyenne Nation (formerly Northern Cheyenne Tribe), the Yuhaaviatam of San Manuel Nation (formerly San Manuel Band of Mission Indians), and the Kletsel Dehe Wintun Nation (formerly Kletsel Dehe Band of Wintun Indians); and

WHEREAS, the use of the name Eastern Cherokee Nation better reflects the sovereign status, history, and identity of our Tribe; affirms our equal standing among Indigenous nations; and accurately conveys to all governments, agencies, and the public that our people constitute a Nation, not a “band”; and

WHEREAS, the restoration of the name Eastern Cherokee Nation corrects a historical imposition, restores cultural dignity, and strengthens the Tribe’s governmental and political identity for generations to come.

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Eastern Band of Cherokee Indians, in Council assembled, at which a quorum is present, that the official name of the Tribe shall be corrected from:

“Eastern Band of Cherokee Indians”

to

“Eastern Cherokee Nation.”

BE IT FURTHER RESOLVED that the Principal Chief is hereby authorized and directed to notify the United States Department of the Interior, Bureau of Indian Affairs, Office of Indian Services, Division of Tribal Government Services, of this official name correction, and to transmit the certified copy of this Resolution and any additional documentation required to update the Tribe’s listing on the Federal Register list of recognized Indian tribes maintained pursuant to Section 104 of the Federally Recognized Indian Tribe List Act of 1994 (Pub. L. 103-454; 25 U.S.C. § 5131) and 25 C.F.R. § 83.6(a).

BE IT FURTHER RESOLVED that the Principal Chief is further authorized and directed to notify the State of North Carolina, and all relevant federal, state, local, and Tribal partners, including but not limited to parties to gaming compacts, self-governance agreements, grants, and intergovernmental contracts, of this official name correction.

BE IT FURTHER RESOLVED that all future laws, resolutions, ordinances, contracts, compacts, agreements, legal instruments, governmental publications, and official actions shall utilize the name Eastern Cherokee Nation, and all existing documents, publications, or printed materials of any kind shall be updated to reflect the corrected name as they are amended, renewed, or republished; provided, however, that the Tribal flag shall be redesigned to reflect the corrected name and adopted as our National Flag.

BE IT FURTHER RESOLVED that all existing treaties, compacts, contracts, grants, memoranda of understanding, memoranda of agreement, court orders, judgments, regulatory approvals, federal trust responsibilities, self-governance agreements, and any other legal instruments or obligations referencing the “Eastern Band of Cherokee Indians” or “EBCI” shall remain in full force and legal effect and shall be deemed to refer to the Eastern Cherokee Nation. No party to any such instrument may assert that a change of name constitutes a novation, breach, or alteration of any term, obligation, or entitlement therein. References to the former name in federal, state, or tribal records, databases, and publications shall be deemed references to the Eastern Cherokee Nation for all legal purposes during and after the transition.

BE IT FURTHER RESOLVED that a transition period of twenty-four (24) months from the effective date of this Resolution is hereby established, during which time both the former name “Eastern Band of Cherokee Indians” and the corrected name “Eastern Cherokee Nation” shall be recognized as valid references to the Tribe for all governmental, legal, financial, and administrative purposes. The Office of the Principal Chief, in coordination with the Office of the Attorney General and all tribal programs and enterprises, shall develop and implement a transition plan to update official seals, signage, documents, websites, and other materials. At the conclusion of the transition period, the name “Eastern Cherokee Nation” shall be the sole official name of the Tribe in all new instruments and publications.

BE IT FURTHER RESOLVED that nothing in this Resolution shall be construed to alter, diminish, or expand the Tribe’s federal recognition, treaty rights, land rights, trust status, jurisdiction, governing powers, sovereign immunity, or any other legal or sovereign authority possessed by the Tribe under federal law, the Tribe’s Charter, or any other applicable law.

BE IT FINALLY RESOLVED that all prior resolutions inconsistent with this Resolution are hereby rescinded, and this Resolution shall become effective upon ratification by the Principal Chief.

Submitted by: Patrick Lambert & Myrtle Driver