

KILLED

Cherokee Council House
Cherokee, North Carolina
Date OCT 12 2026

Resolution No. 319 (2026)

WHEREAS, on February 5, 2026 the Tribal Council took action by resolution to permanently banish Arvis Boughman from the lands of the Eastern Band of Cherokee Indians; and,

WHEREAS, Chapter 2 of the Cherokee Code governs and mandates the procedure and process to be followed by the Tribal Council prior to taking any action involving banishment of any individual including providing prior written notice of the reasons for banishment and notice of the date and time of any hearing on banishment; and,

WHEREAS, notice of the reasons for the proposed banishment and exclusion of Arvis Boughman was not properly given or provided prior to the actions taken by Tribal Council as the notices were sent to a wrong physical address and contact was made to a telephone number that did not belong to Arvis Boughman; and,

WHEREAS, the language in the resolution stating the basis for the proposed exclusion centers on speech that is protected by the provisions of the Indian Civil Rights Act of 1968 as well as Cherokee Tribal law as found at Section 75-52 of the Cherokee Tribal Code; and,

WHEREAS, elected officials such as the members of the Tribal Council took an oath of office mandate that the Tribal Council protect and defend the Charter and laws of the Tribe as adopted by the Tribe, including free speech; and,

WHEREAS, the action to exclude or banish Arvis Boughman did not comply with notice provisions of Chapter 2 and was based on statements and publications attributed to Arvis Boughman as protected free speech under Tribal and Federal law and was an impermissible action under applicable Tribal law.

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Eastern Band of Cherokee Indians in annual council assembled where a quorum is present that actions taken by the Tribal Council in Resolution 106 (2026) are hereby rescinded.

BE IT FURTHER RESOLVED, that any notice of banishment or exclusion under Resolution 106 (2026) is dissolved.

BE IT FINALLY RESOLVED, that the Principal Chief is authorized to carry out the intent of this resolution.

Submitted by Robert Osley Saunooke, Esquire on behalf of Arvis Boughman