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DISTRICT 3

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Thad Rose
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Jody Kohlus

DISTRICT 6

Tuffy Thompson
Duane Casper Pearman "Cap"

TRIBAL MEMORANDUM

DATE : 7/14/26

TO : SUPERINTENDENT, Cheyenne River Agency

FROM : Ev Ann White Feather, Tribal Secretary

SUBJECT : Resolution No. 315-2026-CR: That that this Resolution is the Tribe's law on eviction and no entity exercising Tribal authority may lawfully evict or cause to be evicted any individual residing in housing within the exterior reservation boundaries that is subject to Tribal jurisdiction from the first day of October until the first day of April of each year and contains the provision.

Transmitted herewith are an original and two (2) copies of Resolution No. 315-2026-CR which was duly adopted by the Cheyenne River Sioux Tribal Council during its Regular Session held on October 6, 2026.

Cc: Chairman
Treasurer
Administrative Officer
Tribal Comptroller
Central Record
Legal Department
Prosecutor Office
Public Defender
Law Enforcement
Human Services Committee Chairman
Support Services
CR Housing Authority
Committee Secretary
District Officers/6
File/2

The blue represents the thunderclouds above the world where live the thunder birds who control the four winds. The rainbow is for the Cheyenne River Sioux people who are keepers of the Most Sacred Calf Pipe, a gift from the White Buffalo Calf Maiden. The eagle feathers at the edges of the rim of the world represent the spotted eagle who is the protector of all Lakota. The two pipes fused together are for unity. One pipe is for the Lakota, the other for all the other Indian Nations. The yellow hoops represent the Sacred Hoop, which shall not be broken. The Sacred Calf Pipe Bundle in red represents Wakan Tanka - The Great Mystery. All the colors of the Lakota are visible. The red, yellow, black and white represent the four major races. The blue is for heaven and the green for Mother Earth.

RESOLUTION NO. 315-2026-CR

- WHEREAS, the Cheyenne River Sioux Tribe¹ of South Dakota is an unincorporated tribe of Indians, having accepted the provision of the Act of June 18, 1934, (48 Stat. 984), and
- WHEREAS, the Tribe,² in order to establish its tribal organizations, to conserve its tribal property, to develop its common resources, and to promote the general welfare of its people, has ordained and established a Constitution and By-Laws, and
- WHEREAS, the Tribal Council has authority pursuant to Article IV§ 1(a) of the Tribal Constitution "[t]o enter into negotiations with the Federal, State, and local Governments on behalf of the tribe." Id.; and
- WHEREAS, the United States has obligated itself to defend the Great Sioux Nation and its rights by entering into the Fort Laramie Treaty of September 17, 1851, 11 Stat. 749,³ Charles J. Kappler, ed., *Indian Affairs: Laws and Treaties - Vol. II: Treaties*, Washington, D.C.: Government Printing Office, 1904, pp. 594-596; and the Fort Laramie Treaty of April 29, 1868, 15 Stat. 635, ratified Feb. 16, 1868; proclaimed Feb. 24, 1868, Id. at pp. 998-1007, entered into with the Great Sioux Nation and other Sovereign Indian Tribes. In addition, the United States is obliged under the said Treaties to protect the legal rights of the federally recognized Indian Tribes that are the successors in interest to the Great Sioux Nation, i.e., the Oglala Sioux Tribe, the Rosebud Sioux Tribe, the Standing Rock Sioux Tribe, the Cheyenne River Sioux Tribe, the Lower Brule Sioux Tribe, the Crow Creek Sioux Tribe, the Yankton Sioux Tribe, the Flandreau Santee Sioux Tribe, the Sisseton Wahpeton Dakota Oyate, the Santee Sioux Tribe of Nebraska, the Fort Peck Sioux Tribe, the Shakopee Mdewakanton Indian Community, the Prairie Island Indian Community the Lower Sioux Indian Community and the Yellow Medicine (Granite Falls) Indian Community; and

¹ The Cheyenne River Sioux Tribe is comprised of the Minnecoujou (Plants by the Water) Band, the Itazipco (Without Bows) Band, the Siha Sapa (Blackfoot) Band and the OoheNumpa (Two Kettles) Band. In addition, members of the Paksa (Cut Head) Band and other Bands of the Great Sioux Nation are enrolled members of the Cheyenne River Sioux Tribe.

² Cheyenne River Sioux Tribe, Cheyenne River Reservation, Act of March 2, 1889 § 4, 25 Stat. 888 (boundaries).

³ This Treaty as signed, was ratified by the Senate May 24, 1852, with an amendment changing the annuity in Article 7 from 50 years to 10 Years, with an additional 5 years in the discretion of the President, subject to acceptance by the Tribes. Assent of all Tribes was procured, the last acceptance being by the Crows September 18, 1854. By inadvertence on the part of the Interior Department, ratification by the Tribes was not certified to the State Department and therefore the Treaty was not proclaimed by the President. However, in subsequent agreements this Treaty has been recognized as in force and Congress made appropriations thereunder. The Court of Claims in *Moore v. United States*, 32 Ct. Cl. 593 (1897) and in *Roy v. United States*, 45 Ct. Cl. 177 (1910) held that the 1851 Treaty was legal and binding on the United States. C.J. Kappler, the compiler and editor was in error in stating at the bottom of page 594, *Indian Affairs: Treaties*, Volume 2, that all the Tribes had not ratified the Senate amendment to this Treaty. See Indian Office files, Upper Platte C-570-1853-S. 555-1854; see also, Ft. Berthold and Upper Missouri Agency.)

RESOLUTION NO. 315-2026-CR
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WHEREAS, traditionally, the Lakota Oyate provided shelter to those in need to the point of sacrificing their own personal welfare; and

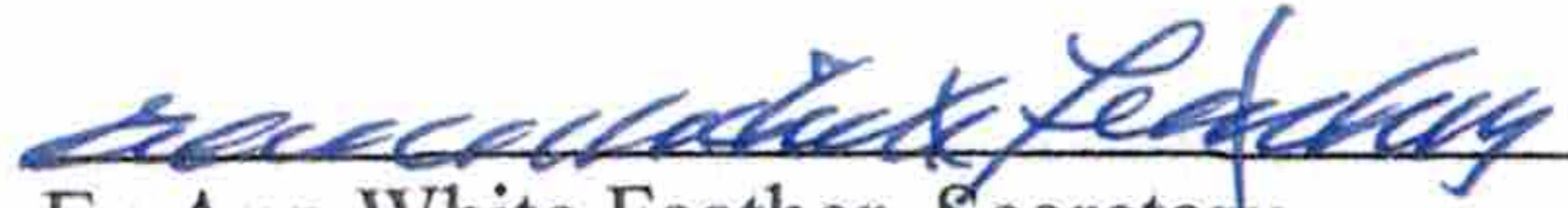
WHEREAS, today, the Tribe is concerned about the welfare of individuals residing in housing within the exterior reservation boundaries that is subject to Tribal jurisdiction. Specifically, the Tribe is interested in clarifying that no individual residing in such housing may be evicted from the **first day of October until the first day of April of each year**; now,

THEREFORE BE IT RESOLVED, that this Resolution is the Tribe's law on eviction and no entity exercising Tribal authority may lawfully evict or cause to be evicted any individual residing in housing within the exterior reservation boundaries that is subject to Tribal jurisdiction from the **first day of October until the first day of April of each year**; and

BE IT FINALLY RESOLVED, that nothing in this Resolution diminishes, divests, alters, or otherwise affects any inherent, treaty, statutory, or other rights of the Cheyenne River Sioux Tribe over the property or activities described herein. The Cheyenne River Sioux Tribe expressly retains all rights and authority over the property and activities described herein, including but not limited to legislative, regulatory, adjudicatory, and taxing powers.

CERTIFICATION

I, the undersigned, as Secretary of the Cheyenne River Sioux Tribe, certify that the Tribal Council is composed of fifteen (15) members of whom 13, constituting a quorum, were present at a meeting duly and regularly called, noticed, convened and held this 6th day of October, 2026, Regular Session, and that the foregoing resolution was duly adopted at such meeting by a roll call vote of 11 yes, 0 no, 2 abstaining, 1 vacant and 3 absent.


Ev Ann White Feather, Secretary
Cheyenne River Sioux Tribe