

**ROSEBUD SIOUX TRIBE**  
**Resolution No. 2020-152**

**WHEREAS**, the Rosebud Sioux Tribe is a federally recognized Indian Tribe organized pursuant to the Indian Reorganization Act of 1934 and all pertinent amendments thereof; and

**WHEREAS**, the Rosebud Sioux Tribe is acting under its authority pursuant to Article IV, Section 1 (f) of the Constitution and Bylaws of the Rosebud Sioux Tribe; and

**WHEREAS**, The Rosebud Sioux Tribal Council is authorized to promulgate and enforce ordinances for the maintenance of law and order, and to safeguard the peace and morals, and general welfare of the Tribe, pursuant to the Rosebud Sioux Tribe Constitution and By-Laws Article IV Sections1 (k), and (m), and

**WHEREAS**, Indian Nations are sovereign independent nations that were established many thousands of years ago by Native Peoples. Native Peoples trace the origin of our Indian nations to the Creator, who gave us life, liberty and a sacred duty to Grandmother Earth;

**WHEREAS**, the sovereign authority of Native Nations is inherent and original flowing from the Creator through our Native Peoples;

**WHEREAS**, from the time of their arrival in America, European Nations acknowledged Native Nations as sovereigns, with the power of war and peace, trade and commerce, territorial integrity and self-governance;

**WHEREAS**, the American Republic, through treaty-making acknowledged the status of Native Nations as sovereigns from its first days;

**WHEREAS**, the 1778 Treaty with the Delaware Nation is modeled on the treaties between European heads of state, and acknowledges the sovereignty and territorial integrity of the Delaware Nation, as it seeks military alliance and denies U.S. territorial ambitions vis-à-vis Delaware lands;

**WHEREAS**, the Declaration of Independence establishes the human rights principles upon which the United States of America was founded:

*We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.*

**WHEREAS**, the principles of the Declaration of Independence are universal and apply to all Peoples, including Native Peoples—

- Under the Law of Nature, All People are Created Equal and Endowed by the Creator with Life, Liberty and the Pursuit of Happiness. Governments are Formed to Secure the Rights of People, and Just Powers of Government derived from the Consent of the Governed.

**ROSEBUD SIOUX TRIBE**  
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The Constitution rests upon the Natural Law framework of the Declaration of Independence;

**WHEREAS**, the Constitution recognizes Indian nations as prior sovereigns:

- the Treaty and Supremacy Clauses acknowledge Native Nations as sovereign nations that govern Native lands;
- the Commerce Clause establishes a bi-lateral relationship between the United States and Indian nations; and
- the Apportionment Clause recognizes Native Peoples as citizens of Native Nations, not directly subject to the United States authority; and
- the 14<sup>th</sup> Amendment Citizenship Clause and amended Apportionment Clause recognizes Native Peoples as citizens of Native Nations under tribal jurisdiction—not U.S. jurisdiction.

**WHEREAS**, our Indian Nations fought wars to protect our inherent natural rights to life, liberty and sovereignty and to preserve our connection to Grandmother Earth and through treaties, the United States and Native Nations recognizes tribal rights to self-government;

**WHEREAS**, Federally Recognized Indian Tribes today are Native Nations, and our Native People maintain our sovereign authority and rights to self-determination, self-government and autonomy;

**WHEREAS**, in Alaska, Alaska Native villages are Indian tribes and Native Nations;

**WHEREAS**, Alaska Native Corporations were created under state law in the 1970s, and serve the interests of Alaska Native shareholders—not the prior Native Peoples and Native community, and because the genesis of their legal existence is the Alaska Native Claims Settlement Act, not the Will of the Native People—Alaska Native Corporations can never be Indian nations or Indian tribes;

**WHEREAS**, Alaska Native Corporations are subordinate to state law by virtue of their creation under state law, and Alaska Native shareholders accepted this state law status, reserving their traditional Native Nation status for Alaska Native villages governed by Alaska Native Peoples;

**WHEREAS**, the Federal District Court decision in *Chehalis v. Mnuchin*, \_\_\_\_\_ F.3d \_\_\_\_\_ (2020) ruling that Alaska Native Corporations are Indian tribes is a fundamental violation of the rights of Native Peoples as Human Beings endowed by our Creator with Life, Liberty and our Sacred Duty to Grandmother Earth;

**NOW THEREFORE BE IT RESOLVED** that the Rosebud Sioux Tribe rejects the ruling of the Federal District Court denominating Alaska Native Corporations—state chartered entities owing their existence to state law—as Indian tribes and declares that Alaska Native Corporations can never be Indian tribes;

**BE IT FURTHER RESOLVED** that the Rosebud Sioux Tribe authorizes an appeal of the decision in *Chehalis v. Mnuchin* to the Supreme Court if necessary;

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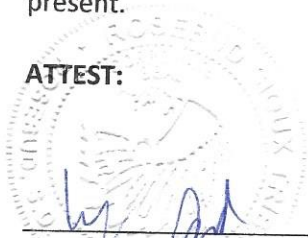
**BE IT FURTHER RESOLVED** that the Rosebud Sioux Tribe calls upon Congress to respect the human rights of Native Peoples by reserving the Federal recognition of Indian tribes to our Native Nations that were established by the Native Peoples at the beginning of time with our Natural Law Rights to Life, Liberty and our Sacred Duty to Grandmother Earth; Accordingly, in future legislation, Congress must use the Federally Recognized Indian Tribe List Act to work with our Native Nations;

**BE IT FURTHER RESOLVED** that the Rosebud Sioux Tribe calls upon the National Congress of American Indians to reject the ruling of the Federal District Court in *Chehalis v. Mnuchin*, \_\_\_ F.3d \_\_\_ as a violation of our human rights, inherent sovereignty, our self-government and our self-determination;

**CERTIFICATION**

This is to certify that the above Resolution No. 2020-152 was duly passed by the Rosebud Sioux Tribal Council in session on June 29, 2020, by a vote of eleven (11) in favor, zero (0) opposed and zero (0) not voting. The said resolution was adopted pursuant to authority vested in the Council. A quorum was present.

**ATTEST:**



Wayne Boyd, Secretary  
Rosebud Sioux Tribe

A handwritten signature in blue ink, appearing to read "Rodney M. Bordeaux".

Rodney M. Bordeaux, President  
Rosebud Sioux Tribe



**ROSEBUD SIOUX TRIBE**  
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**WHEREAS,** the Rosebud Sioux Tribe is acting under its authority pursuant to Article IV, Section 1 (f) of the Constitution and Bylaws of the Rosebud Sioux Tribe; and

**WHEREAS,** The Rosebud Sioux Tribal Council is authorized to promulgate and enforce ordinances for the maintenance of law and order, and to safeguard the peace and morals, and general welfare of the Tribe, pursuant to the Rosebud Sioux Tribe Constitution and By-Laws Article IV Sections1 (k), and (m), and

**WHEREAS,** Indian Nations are sovereign independent nations that were established many thousands of years ago by Native Peoples. Native Peoples trace the origin of our Indian nations to the Creator, who gave us life, liberty and a sacred duty to Grandmother Earth;

**WHEREAS,** the sovereign authority of Native Nations is inherent and original flowing from the Creator through our Native Peoples;

**WHEREAS,** from the time of their arrival in America, European Nations acknowledged Native Nations as sovereigns, with the power of war and peace, trade and commerce, territorial integrity and self-governance;

**WHEREAS,** the American Republic, through treaty-making acknowledged the status of Native Nations as sovereigns from its first days;

**WHEREAS,** the 1778 Treaty with the Delaware Nation is modeled on the treaties between European heads of state, and acknowledges the sovereignty and territorial integrity of the Delaware Nation, as it seeks military alliance and denies U.S. territorial ambitions vis-à-vis Delaware lands;

**WHEREAS,** the Declaration of Independence establishes the human rights principles upon which the United States of America was founded:

*We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.*

**WHEREAS,** the principles of the Declaration of Independence are universal and apply to all Peoples, including Native Peoples—

- Under the Law of Nature, All People are Created Equal and Endowed by the Creator with Life, Liberty and the Pursuit of Happiness. Governments are Formed to Secure the Rights of People, and Just Powers of Government derived from the Consent of the Governed.

**ROSEBUD SIOUX TRIBE**  
**Resolution No. 2020-152**

The Constitution rests upon the Natural Law framework of the Declaration of Independence;

**WHEREAS**, the Constitution recognizes Indian nations as prior sovereigns:

- the Treaty and Supremacy Clauses acknowledge Native Nations as sovereign nations that govern Native lands;
- the Commerce Clause establishes a bi-lateral relationship between the United States and Indian nations; and
- the Apportionment Clause recognizes Native Peoples as citizens of Native Nations, not directly subject to the United States authority; and
- the 14<sup>th</sup> Amendment Citizenship Clause and amended Apportionment Clause recognizes Native Peoples as citizens of Native Nations under tribal jurisdiction—not U.S. jurisdiction.

**WHEREAS**, our Indian Nations fought wars to protect our inherent natural rights to life, liberty and sovereignty and to preserve our connection to Grandmother Earth and through treaties, the United States and Native Nations recognizes tribal rights to self-government;

**WHEREAS**, Federally Recognized Indian Tribes today are Native Nations, and our Native People maintain our sovereign authority and rights to self-determination, self-government and autonomy;

**WHEREAS**, in Alaska, Alaska Native villages are Indian tribes and Native Nations;

**WHEREAS**, Alaska Native Corporations were created under state law in the 1970s, and serve the interests of Alaska Native shareholders—not the prior Native Peoples and Native community, and because the genesis of their legal existence is the Alaska Native Claims Settlement Act, not the Will of the Native People—Alaska Native Corporations can never be Indian nations or Indian tribes;

**WHEREAS**, Alaska Native Corporations are subordinate to state law by virtue of their creation under state law, and Alaska Native shareholders accepted this state law status, reserving their traditional Native Nation status for Alaska Native villages governed by Alaska Native Peoples;

**WHEREAS**, the Federal District Court decision in *Chehalis v. Mnuchin*, \_\_\_\_\_ F.3d \_\_\_\_\_ (2020) ruling that Alaska Native Corporations are Indian tribes is a fundamental violation of the rights of Native Peoples as Human Beings endowed by our Creator with Life, Liberty and our Sacred Duty to Grandmother Earth;

**NOW THEREFORE BE IT RESOLVED** that the Rosebud Sioux Tribe rejects the ruling of the Federal District Court denominating Alaska Native Corporations—state chartered entities owing their existence to state law—as Indian tribes and declares that Alaska Native Corporations can never be Indian tribes;

**BE IT FURTHER RESOLVED** that the Rosebud Sioux Tribe authorizes an appeal of the decision in *Chehalis v. Mnuchin* to the Supreme Court if necessary;

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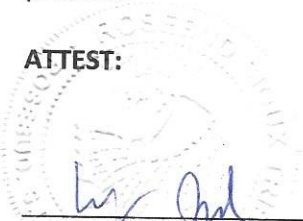
**BE IT FURTHER RESOLVED** that the Rosebud Sioux Tribe calls upon Congress to respect the human rights of Native Peoples by reserving the Federal recognition of Indian tribes to our Native Nations that were established by the Native Peoples at the beginning of time with our Natural Law Rights to Life, Liberty and our Sacred Duty to Grandmother Earth; Accordingly, in future legislation, Congress must use the Federally Recognized Indian Tribe List Act to work with our Native Nations;

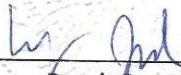
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**ATTEST:**



  
Wayne Boyd, Secretary  
Rosebud Sioux Tribe

  
Rodney M. Bordeaux, President  
Rosebud Sioux Tribe



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- WHEREAS**, The Rosebud Sioux Tribal Council is authorized to promulgate and enforce ordinances for the maintenance of law and order, and to safeguard the peace and morals, and general welfare of the Tribe, pursuant to the Rosebud Sioux Tribe Constitution and By-Laws Article IV Sections1 (k), and (m), and
- WHEREAS**, Indian Nations are sovereign independent nations that were established many thousands of years ago by Native Peoples. Native Peoples trace the origin of our Indian nations to the Creator, who gave us life, liberty and a sacred duty to Grandmother Earth;
- WHEREAS**, the sovereign authority of Native Nations is inherent and original flowing from the Creator through our Native Peoples;
- WHEREAS**, from the time of their arrival in America, European Nations acknowledged Native Nations as sovereigns, with the power of war and peace, trade and commerce, territorial integrity and self-governance;
- WHEREAS**, the American Republic, through treaty-making acknowledged the status of Native Nations as sovereigns from its first days;
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- WHEREAS**, the principles of the Declaration of Independence are universal and apply to all Peoples, including Native Peoples—

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**WHEREAS**, Alaska Native Corporations were created under state law in the 1970s, and serve the interests of Alaska Native shareholders—not the prior Native Peoples and Native community, and because the genesis of their legal existence is the Alaska Native Claims Settlement Act, not the Will of the Native People—Alaska Native Corporations can never be Indian nations or Indian tribes;

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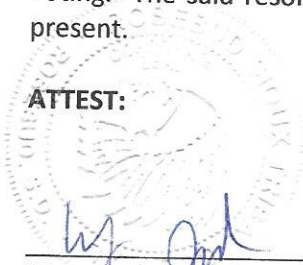
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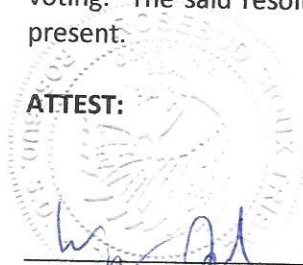
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**ATTEST:**



\_\_\_\_\_  
Wayne Boyd, Secretary  
Rosebud Sioux Tribe

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\_\_\_\_\_  
Rodney M. Bordeaux, President  
Rosebud Sioux Tribe



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Rosebud Agency

Post Office Box 228

Mission, South Dakota 57555

IN REPLY REFER TO:  
Office of the Superintendent

JUL 07 2020

Honorable Rodney Bordeaux  
President, Rosebud Sioux Tribe  
Post Office Box 430  
Rosebud, South Dakota 57570

Attention: Louis Wayne Boyd, RST Secretary

Dear President Bordeaux:

The following resolutions, received in this office on 07/06/2020 have been reviewed and re-routed to the appropriate branches.

**Resolution No. 2019-42**  
**Resolution No. 2020-45**  
**Resolution No. 2020-117**  
**Resolution No. 2020-123**  
**Resolution No. 2020-132 (Amended: 06/17/2020)**  
**Resolution No. 2020-133 (Amended: 06/07/2020)**  
**Resolution No. 2020-142**  
**Resolution No. 2020-143**  
**Resolution No. 2020-144**  
**Resolution No. 2020-145**

**Resolution No. 2020-146**  
**Resolution No. 2020-147**  
**Resolution No. 2020-148**  
**Resolution No. 2020-149**  
**Resolution No. 2020-150**  
**Resolution No. 2020-151**  
**Resolution No. 2020-152**  
**Resolution No. 2020-153**  
**Resolution No. 2020-154**

Sincerely,

Ira Dean Wilson  
Superintendent

Enclosure