

**TO: SCOTT NEMENICH**

**FR: KATHY SOLOMON**

**RE: RESOLUTION OF SHOSHONE INDIAN  
TRIBE**

**DATE: 10/24/21**

**Pages: 4 including Cover Page.**

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**RESOLUTION OF THE GOVERNING BOARD  
OF THE**

**TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS OF NEVADA**

**RESOLUTION NO. 21-TM-80**

**THE TE-MOAK TRIBAL COUNCIL ON BEHALF OF THE TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS OF NEVADA AGREES, BY MAJORITY VOTE, TO SPONSOR THE WINNEBAGO COMMUNITY UNIT SCHOOL DISTRICT 323 OF WINNEBAGO, ILLINOIS TO TEACH AND COUNSEL THE STUDENTS AND TEACHERS REGARDING ALL INDIAN-RELATED SUBJECTS INCLUDING MASCOTS, CULTURE, CLOTHING, HISTORY, MUSIC, TREATIES, FOOD, CUSTOMS, LANDS, ART AND, AT THE PAID REQUEST OF THE SCHOOL, AGREES TO SEND SHOSHONE REPRESENTATIVES TO PERSONALLY TEACH STUDENTS AND TEACHERS THE ABOVE-LISTED INDIAN-RELATED SUBJECTS.**

**BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS OF NEVADA THAT:**

**WHEREAS**, this organization is an Indian Organization as defined under the Indian Reorganization Act of June 18, 1934, 25 U.S.C. Section 461 et seq., (as amended) to exercise certain rights of Home Rule and to be responsible for its Tribal members; and

**WHEREAS**, the Te-Moak Tribe of Western Shoshone Indians' Tribal Council ("Council") is composed of Constituent Bands known individually as the Battle Mountain Band Council, Elko Band Council, South Fork Band Council, and the Wells Band Council, (collectively "Bands"); and

**WHEREAS**, the Te-Moak Tribe of Western Shoshone Indians of Nevada retains the inherent right to govern itself and exercise sovereign authority over its lands and its people, as established by the Constitution of the United States, Article I, Section 2, Clause 3; Article I, Section 8; and by the Fourteenth Amendment, Section 2; and in United States v. Mazurie, 419 U.S. 544, 557 (1975) ruling that "Indian Tribes are unique aggregations possessing attributes of sovereignty over both their members and over their territory...[as] 'separate people' possessing 'the power of regulating their internal and social relations...'" (citing and quoting Worcester v. Georgia 31 U.S. 557 (1832); United States v. Kagama 118 U.S. 375, 381-82 (1886), and McClanahan v. Arizona State Tax Comm'n 411 U.S. 164, 173 (1973); the Constitution of the Te-Moak Tribe of Western

Shoshone Indians of Nevada and 25 U.S.C. Section 1301 et seq., (affirming the Constitutional Rights of Native Americans and the recognition by the United States of America in Native American Tribal "Powers of Self-Government" to include "all governmental powers possessed by an Indian Tribe including Executive, Legislative & Judicial Rights, and all offices, bodies and tribunals by and through which these Rights are executed, including but not limited to Courts of Indian Offenses," and "Indian Courts" meaning any Indian Tribal and/or Court of Indian Offenses"); and

**WHEREAS**, pursuant to the Constitution of the Te-Moak Tribe of Western Shoshone Indians of Nevada, Article 4, Section 3(j), (k), and (n) the Tribal Council retains Sovereign Authority to promote and protect the health, safety and welfare of the Te-Moak Tribe, its members and all persons within the Tribe's jurisdiction and the Tribal Council retains the authority to promulgate Resolutions that are "necessary and proper for carrying into effect" the Council's authority to "regulate all administrative, executive, judicial and legislative bodies of the Te-Moak Tribe, Tribal Agencies, Officers and Organizations;" and

**WHEREAS**, the Preamble of the Constitution of the Te-Moak Tribe of Western Shoshone Indians of Nevada sets forth the purpose behind the Constitution as necessary "to improve the governing structure...administer justice... and otherwise govern the affairs of this Tribe;" and

**WHEREAS**, on or about June 2, 2021 the Te-Moak Tribal Council held a regularly scheduled Te-Moak council meeting where a quorum was present; and

**WHEREAS**, a motion was properly made, and seconded to sponsor the Winnebago Community Unit School District 323 of Winnebago, Illinois to teach and counsel the students and teachers regarding all Indian-related subjects including mascots, culture, clothing, history, music, treaties, food, customs, lands, art and, at the paid request of the high school, agrees to send Shoshone representative to personally teach students and teachers the above-listed Indian-related subjects; and

**WHEREAS**, after discussion of the motion, the Te-Moak Tribal Council voted on the motion and by a majority vote of the Council, passed said motion; and

**NOW THEREFORE BE IT RESOLVED**, the Te-Moak Tribal Council on behalf of the Te-Moak Tribe of Western Shoshone Indians of Nevada hereby agrees to sponsor the Winnebago Community Unit School District 323 of Winnebago, Illinois to teach and counsel the students and teachers regarding all Indian-related subjects including mascots, culture clothing, history, music, treaties, food, customs, lands, art and, at the paid request of the school, agrees to send Shoshone representatives to personally teach students and teachers the above-listed Indian-related subjects.

**CERTIFICATION**

I, Joseph Holley, the undersigned, as Chairman of the Te-Moak Tribal Council of the Te-Moak Tribe of Western Shoshone Indians of Nevada, do hereby certify that the Te-Moak Tribal Council is composed of twelve (12) members of whom 6 were present at the Tribal Council meeting which constituted a quorum held on September 9, 2021, and the foregoing Resolution was adopted at such Meeting by a vote of 6 In Favor; 0 Against; 0 Abstaining, pursuant to the Authority of Article 4, Section 3 of the Constitution of the Te-Moak Tribe of Western Shoshone Indians of Nevada.

*INVALID IF NO SEAL APPEARS BELOW*



*Joseph Holley*  
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**JOSEPH HOLLEY, CHAIRMAN**  
Te-Moak Tribe of Western Shoshone  
Indians of Nevada

**ATTEST:**

*Alice Tybo*  
\_\_\_\_\_  
**ALICE TYBO, Acting Recording Secretary**