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TO: Howard Paden, Secretary of Language & Culture
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Administration Memorandum on the Secretary of Language and Culture

The purpose of this memorandum is to outline the basic duties and responsibilities of the Secretary of Language and Culture and to provide basic direction on the evolution of responsibilities and duties of that position.

I. Background

The cabinet position of Secretary of Language and Culture ("Secretary") was created by the Durbin Feeling Language Preservation Act, as amended. The Act does not prescribe any particular set of duties or obligations.

The first action to appoint a Secretary of Language was September 5, 2026, in the State of the Nation Address, with the appointment of Howard Paden thereafter forwarded to the Council of the Cherokee Nation and thereafter approved unanimously by Council on September 24, 2026. Secretary Paden took the oath of office on that same date.

Secretary Paden begins his service as the inaugural appointee with, as noted, slim legislative guidance to follow. However, that brief statutory language is a feature, not a flaw. Council appropriately deferred the shaping of the position to the executive. Accordingly, this

memorandum serves as the basic instrument outlining the duties of the Secretary of Language and Culture with guidance as to the development of the position.

II. Direction

a. Primary Authority to Oversee Language

The Secretary of Language and Culture is part of a substantially unitary executive branch and executes his or her duties in the service of the Principal Chief. The Secretary possesses no independent authority, except of course the constitutional oath of office. Except where statute may directly prescribe duties, the Secretary's direction comes from the Principal Chief, ordinarily delegated directly to the Secretary expressly or implicitly. This precisely aligns with most other cabinet secretaries (other than the quasi-Independent Attorney General and Marshal).

Initially, the Secretary has primary responsibility for the administration of language programs and a secondary consultative responsibility regarding all other programs, services and activities that have a nexus with Cherokee Nation culture. In that regard, the Secretary position traces its origin to the Durbin Feeling Act by design, placing the Secretary over all language programs, which is the Act's exclusive concern.

The Secretary, with the Principal Chief's approval, can serve as Executive Director of the Language Department or delegate that role to a subordinate of the Principal Chief's choosing who immediately reports to the Secretary.

The inclusion of the phrase "and culture" in the Secretary's title is also by design, but it should be informed by application by prevailing institutional arrangements. The phrase could conceivably envelop a broad range of Cherokee Nation programs, services and initiatives across a range of departments as well as elements of the operations of Cherokee Nation affiliated entities such as CNB. The application of the Secretary's full title to its logical literal conclusion would place the Secretary atop or within the administrative leadership of an enormous array of governmental and business operations. Immediate broad application would be challenging to manage. Accordingly, the Secretary's primary authority is management and oversight of the Language Department.¹

b. Secondary Authority is Consultative as to Culture, will evolve

Though language and culture are, in the final analysis, inseparable, there are plainly parts of the operations of Cherokee Nation and its affiliated entities that relate directly to Cherokee culture, but only incidentally or secondarily relate to Cherokee language. Cultural Tourism, Cherokee

¹ This is comparable to the Secretary of Natural Resources, and should be comparable to SONRs development. In its short history, SONR's authority has become better defined. Statutory and procedural guidance, as well as developing practices, has increased SONRs role in relevant subject matters. The same can be true of the Secretary of Language and Culture.

Film, Cherokee Nation Community and Cultural Outreach, Indian Child Welfare, Natural Resources and Education are just some, among many, of the business units or government departments that fit this description. Indeed, it is difficult to identify any department that wholly lacks any relationship with Cherokee culture. In all of these operations, the Secretary has a role that should evolve over time and experience.

The Secretary's broader role relating to culture is best described, particularly while the position is in its early stages of development, as consultative in nature. The development of this consultative role is a "two-way street." That is, the Secretary will need to cultivate relationships with relevant departmental leadership in order to develop practices for informally advising on matters of Cherokee culture *and* departmental leadership are expected to seek out the Secretary's advice on such matters. Executive leadership should err on the side of seeking the Secretary's guidance on matters of revitalizing, teaching or depicting Cherokee cultural practices and traditions, particularly as it relates to new initiatives. The Secretary should be provided sufficient resources to field these inquiries.

This consultation can arise in any number of scenarios. For example, if Cultural Tourism develops new museum exhibit or Education develops new materials for students, these activities likely trigger a request for the Secretary to consult. Examples abound. Quite simply, if Cherokee culture is plainly implicated by a department or business units' activities, the Secretary should be consulted.

Consultation should support the authentic and effective use of Cherokee culture in our business or governmental operations, not serve as a hindrance. Rigid bureaucratic rules or expectations will likely lead to frustration and backlogs, particularly if they are immediately imposed. Instead of rigidity, this memorandum favors informality, collegiality between the Secretary and other leaders, good judgment and common sense.

Time and experience will help inform the evolution of the Secretary's authority. The Secretary should report at least annually to the Principal Chief on recommendations as to how the Secretary's authority, beyond overseeing all language programs, should be expanded or formalized.

No one in service of Cherokee Nation- from front line workers to elected leaders- should mistake this memo as a continuation of the status quo prior to the seating of our first Secretary of Language and Culture. The creation of the position in 2019 and the appointment of Howard Paden as the first Secretary of Language in 2026, are historic milestones relative to the vital mission of language revitalization.

c. Coordination with Chief of Staff

As with all cabinet members, the Secretary should coordinate closely with the Chief of Staff on operational and budgetary issues. This is consistent with previous written direction as to the Marshal and the Secretary of Natural Resources and the prevailing norms across all cabinet

members. This arrangement reserves the working relationship between the Secretary and the Principal Chief for matters of major policy concerns. This means, for example, that discussions of budget modifications, reorganizations and facilities should ordinarily begin with Chief of Staff. In that regard, this expectation is indistinguishable from the reportorial practices in place prior to filling the Secretary position involving the Executive Director of Language and the Chief of Staff.

d. Secretary's Duties Ultimately and Wholly Defined by Principal Chief

Ultimately the duties of the Secretary are defined by the appointing Principal Chief. As noted, the Secretary's entire authority is created by simple statutory language that defers all substantive aspects of the Secretary's role to the Principal Chief.

That the Secretary's authority is essentially defined by the Principal Chief does not mean the office lacks authority or importance. Language revitalization is plainly of the highest national interest. The Constitution mandates that officials must "promote the culture, heritage and traditions of the Cherokee Nation." This means the office of Secretary of Language and Culture possesses vital authority and can be an incredibly consequential cabinet official.



Chuck Hoskin, Jr.
Principal Chief