

# **Exhibit 2**

**Cherokee Nation v. Nash**  
Case No.: 1:13-CV-1313 TFH

In support of the Department of the Interior's  
Reply in Support of Motion for  
Summary Judgment  
and Surreply to the Cherokee Nation and  
Principal Chief Baker's Motion  
for Partial Summary Judgment

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

THE CHEROKEE NATION, )  
 )  
 Plaintiff/Counter-Defendant, )  
 )  
 v. )  
 )  
 RAYMOND NASH, et al. )  
 )  
 Defendants/Cross-Claimants/ )  
 Counter-Claimants, )  
 )  
 and )  
 )  
 MARILYN VANN, et al. )  
 )  
 Intervenor-Defendants/Cross-Claimants/ )  
 Counter-Claimants, )  
 )  
 and )  
 )  
 SALLY JEWELL, SECRETARY OF THE INTERIOR, )  
 AND THE UNITED STATES DEPARTMENT OF )  
 THE INTERIOR, )  
 )  
 Counter-Claimants/Cross-Defendants. )

Case No. 1:13-CV-1313 TFH  
Judge Thomas F. Hogan

DECLARATION OF AMBER BLAHA

I, Amber Blaha, affirm and attest:

1. I am an attorney at the Department of Justice (DOJ) representing the Department of the Interior (Interior) in the case *Cherokee Nation v. Nash* (D.D.C. 1:13-CV-1313 TFH).
2. In support of its Motion for Summary Judgment filed January 31, 2014, Interior submitted a number of historical documents. These documents were obtained by Interior, DOJ,

and DOJ's consultant, Historical Research Associates, Inc. (HRA), from repositories of archival and historic documents, including the National Archives in Washington, D.C., the Western History Collections of the University of Oklahoma Library in Norman, OK, and the Department of the Interior library.

3. Exhibit 7 (Articles of Agreement with the Southern Cherokees) is a true and correct copy of a document obtained from the National Archives.

4. Exhibit 9 (Message of Hon. Wm. P. Ross to the Cherokee Council) is a true and correct copy of a document obtained from the Western History Collections of the University of Oklahoma Library.

5. Exhibit 22 (Excerpt of Dawes Commission Cherokee Freedmen Roll) is a true and correct copy of a document obtained from the National Archives (available at <http://www.archives.gov/research/native-americans/dawes/intro.html>).


6. Exhibit 28 (March 29, 1971 letter from Harrison Loesch, Assistant Secretary of Interior) is a true and correct copy of a document found in the Department of the Interior's files.

7. Exhibit 29 (John Sanborn, Brevet Major General, Circular No. 1, 1866) is a true and correct copy of a document obtained from the National Archives.

8. The remaining exhibits attached to Interior's Motion for Summary Judgment are government documents, including statutes, Indian Claims Commission documents, annual agency reports, court filings, and legislative history materials. These documents are available from established online repositories of legal documents, including Westlaw and Hein Online or in the case of certain Indian Claims Commission documents, from the National Archives. The exhibits are true and correct copies of documents from these sources.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on this 28<sup>th</sup> day of March 2014.

  
Amber Blaha