

Committee: Resources
Date: 06-24-09 Committee Date: 07-13-09

Author: George Long / Melissa Gower
Sponsor: Bradley Cobb & Buel Anglen

RESOLUTION NO. 87-09

COUNCIL OF THE CHEROKEE NATION

**A RESOLUTION REQUESTING THE TRANSFER OF THE BUILDINGS AND
GROUNDS OF THE W. W. HASTINGS HOSPITAL TO THE CHEROKEE NATION IN
TRUST STATUS**

WHEREAS, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people and;

WHEREAS, the Cherokee Nation is a federally recognized Indian Nation with a historic and continual government to government relationship with the United States of America and;

WHEREAS, the Cherokee Nation, under a Self-Governance agreement through the Indian Self-Determination and Education Assistance Act as amended, operates comprehensive health care and associated programs of the Indian Health Service and;

WHEREAS, The buildings and grounds of the W. W. Hastings Hospital are currently utilized by the Nation in support of these programs and;

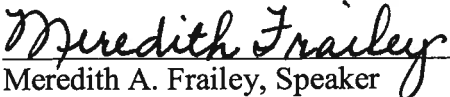
WHEREAS, The Nation desires the real property consisting of four buildings and surrounding grounds of 27.3 acres, be transferred from Indian Health Service to the Cherokee Nation in trust status, whereby the title to such real property is held by the United States in trust for the Cherokee Nation and;

WHEREAS, P.L. 93-638 permits the transfer of real property to an Indian Tribe when the Tribe accompanies the request for such transfer with a resolution of support from the governing body.

BE IT RESOLVED BY THE CHEROKEE NATION, that the Principal Chief of the Cherokee Nation, Chadwick Smith, and/or his authorized designee(s) be authorized to execute all such documents and perform all such activities to request and accomplish the transfer of the buildings and grounds of the W W Hastings Hospital from the Indian Health Service to Cherokee Nation in trust status.

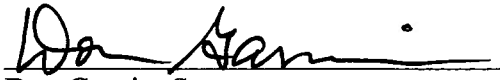
CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 13th day of July, 2009, having 14 members present, constituting a quorum, by the vote of 14 yea; 0 nay; 0 abstaining.


Meredith A. Frailey, Speaker

Council of the Cherokee Nation

ATTEST:



Don Garvin, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 17th day of July, 2009.



Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:



Melanie Knight, Secretary of State
Cherokee Nation

Cherokee Nation Act/Resolution Proposal Form

ADMINISTRATIVE CLEARANCE:

Program/Project Manager:

Signature _____ Date _____

Department Director:

Signature *George R. Long* Date 6/25/09

Group Leader:

Signature *Melissa Gower* Date _____

Government Resources Group:

Signature *Yita May* Date 6/29/09

Administration Approval:

Signature *Melville* Date 6/29/09

Act

XXXX Resolution

TITLE: Requesting the transfer of the building and grounds of the W W Hastings Hospital to the Cherokee Nation in trust status.

Department Contact: George R. Long

Resolution Presenter: Melissa Gower

Council Sponsor: Bradley Cobb

NARRATIVE:

(See Attached Outline for Information Needed)

The purpose of this resolution is to authorize the actions necessary to cause the transfer of the four buildings and 27.3 acres of surrounding grounds of the W W Hastings Hospital from the Indian Health Service to the Cherokee Nation in trust status. Trust status causes the title to the property to be held by the United States for the benefit of Cherokee Nation. Previously, the Nation has requested such transfer of the building and grounds of the Redbird Smith Health Center and the IHS properties on North Street in Tahlequah. The Nation has also requested the transfer to the Wilma P. Mankiller Health Center building, the land being owned by the Nation and leased to IHS.

PL93-638 provides for such transfer of real property. This requires a formal request by the Nation accompanied by a resolution of support by the "governing body". This resolution will provide the resolution of support and will also authorize Chief Smith to perform such actions as necessary to effect this transfer.

LEGISLATIVE CLEARANCE

Legislative Aide:

Signature/Initial *Brittain* Date 6/29/09

Standing Committee:

Resource

7-13-09

Next Meeting Date

Chairperson:

Signature/Initial *Snell* Date _____

Returned to Presenter: _____
Date

06-29-09P04:42 RCVD

06-25-09P03:21 RCVD *gm*