

RESOLUTION NO. 01-26

COUNCIL OF THE CHEROKEE NATION

**A RESOLUTION AUTHORIZING A LIMITED WAIVER OF SOVEREIGN IMMUNITY
OF THE CHEROKEE NATION IN CONNECTION WITH THE NATIVE AMERICAN
AGRICULTURE FUND GRANT AGREEMENT**

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

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

WHEREAS, the Cherokee Nation wishes to enter into a Grant Agreement (“Agreement”) with the Native American Agriculture Fund (“NAAF”) to provide funding to establish a Vocational Agriculture program at Sequoyah High School;

WHEREAS, the Agreement includes provisions for governing law and indemnification to allow enforcement of the parties’ obligations with respect to the proposed agreement if necessary, requiring the Cherokee Nation to execute a limited waiver of sovereign immunity as a condition of receiving an award under the Agreement;

BE IT RESOLVED BY THE CHEROKEE NATION, that for the sole purpose of allowing for enforcement of the terms of the Agreement, the Tribal Council hereby agrees to a limited waiver of sovereign immunity solely for the following purposes:

1. To permit NAAF to bring an action exclusively to enforce the indemnification obligations expressly set forth in Section 20 of this Agreement, and only to the extent of the indemnification amount reasonably ascertainable under this Agreement
2. To permit a court of competent jurisdiction identified in Section 24 to determine disputes strictly limited to those arising under this Agreement.

BE IT FURTHER RESOLVED BY THE CHEROKEE NATION, that the limited waiver of sovereign immunity provided herein shall not be transferable, assignable, or construed as a waiver in any other agreement or circumstance.

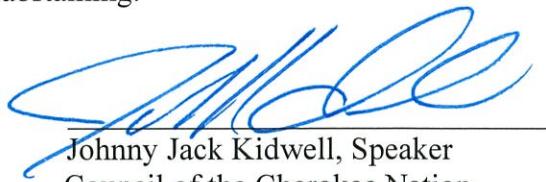
BE IT FURTHER RESOLVED BY THE CHEROKEE NATION, this limited waiver of sovereign immunity shall not allow recovery of any kind from, or other remedies against the Cherokee Nation; or any elected officials, officers, or employees of the Cherokee Nation, whether for actual, liquidated, punitive, exemplary or other monetary damages, or for court costs or attorneys’ fees, or otherwise.

BE IT FURTHER RESOLVED BY THE CHEROKEE NATION, that the duration of this waiver is limited to the duration of the provisions of the Agreement, including any such provisions which survive termination of the Agreement.

BE IT FINALLY RESOLVED BY THE CHEROKEE NATION, that this Resolution shall in no manner or in any respect operate or be construed to operate to waive or otherwise diminish the sovereign immunity of the Cherokee Nation, except as to allow certain actions as provided herein and in the applicable Agreement.

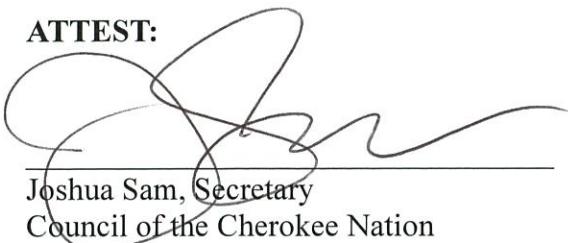
CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 12th day of January, 2026, having 16 members present, constituting a quorum, by the vote of 16 yea; 0 nay; 0 abstaining.



Johnny Jack Kidwell, Speaker
Council of the Cherokee Nation

ATTEST:



Joshua Sam, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 20th day of January, 2026.



Chuck Hoskin, Jr., Principal Chief
Cherokee Nation

ATTEST:



Shella Bowlin, Secretary of State
Cherokee Nation

