

Committee: Resource Committee

Author: Ginger Reeves

Date: 08/01/2018

Committee Date: 08/13/2018

Sponsor: Joe Byrd & Rex Jordan

RESOLUTION NO. 35-18

COUNCIL OF THE CHEROKEE NATION

**A RESOLUTION AUTHORIZING THE RELEASE OF ESCROW FUNDS TO THE
CHOCTAW, CHICKASAW & CHEROKEE (NATIONS)**

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

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;

WHEREAS, pursuant to the letter dated August 19, 1991, royalty income from certain tracts of land in the area of the Arkansas Riverbed near the Arkansas State border properly belonging to the Nations has been held in escrow by the United States Government, through the Department of Interior's Bureau of Indian Affairs (collectively the "U.S. Government") for many years. When the U.S. Government made the decision to escrow the royalty income the justification was the U.S. Government could be held liable to the lessees of certain tracts for all payments erroneously made and disbursed to the Nations.

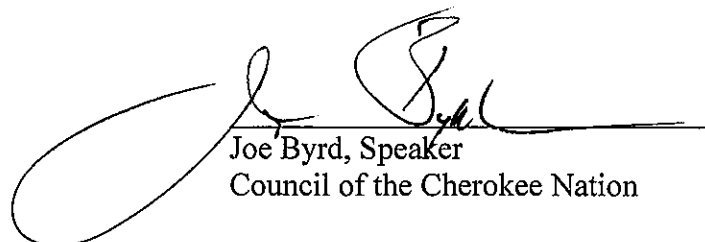
WHEREAS, in order to retrieve the royalty income from the escrow accounts where they are currently held, each Nation will agree to indemnify the U. S. Government for liability limited to the amount it receives related to the release of the same prior to the disclaimer being filed.

WHEREAS, accordingly, Cherokee Nation agrees to indemnify and hold the U. S. Government and applicable agencies harmless, limited to the amount it receives from escrow, from liability they may suffer as a result of any and all actions, claims, demands, or judgements arising from and related to the release to the Nations of the royalty income from certain tracts of land in the area of the Arkansas Riverbed currently held in escrow.


BE IT RESOLVED BY THE CHEROKEE NATION, that the Principal Chief of Cherokee Nation, Bill John Baker, and/or his authorized designee(s) be authorized to request the Secretary of the Interior to release those funds owned by all three Riverbed tribes and paid into their Treasury account in accordance with ARBA letter dated 4/30/1992.

CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 13th day of August, 2018, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; 0 abstaining.

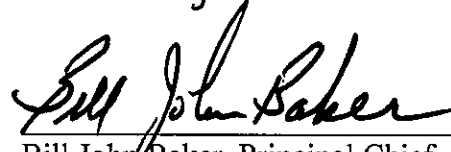

Joe Byrd, Speaker
Council of the Cherokee Nation

ATTEST:




Frankie Hargis, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 15 day of August, 2018.



Bill John Baker, Principal Chief
Cherokee Nation

ATTEST:



Chuck Hoskin, Jr., Secretary of State
Cherokee Nation

Administrative Clearance

Program/Project Manager

Signature/Initial _____ Date _____

Department Director:

GR 7/24/18
Signature/Initial _____ Date _____

Executive Director:

Signature/Initial _____ Date _____

Controller: (If Needed)

Signature/Initial _____ Date _____

Government Resources Dept:

Signature/Initial _____ Date _____

Administration Approval:

Bill Johnson 7/25/18
Signature/Initial _____ Date _____

Legislative Clearance

Legislative Aide:

William 8/1/18
Signature/Initial _____ Date _____

Standing Committee:

Resource

8/13/18

Next Meeting Date

Chairperson:

Jordan
Signature/Initial _____ Date _____

Returned to Presenter: _____

Date

Cherokee Nation

Act /Resolution Proposal Form

Act

Resolution

TITLE: A Resolution Authorizing the Release of Escrow Funds to the Choctaw, Chickasaw & Cherokee Nations of Oklahoma.

DEPARTMENT CONTACT: Real Estate Services

RESOLUTION PRESENTER: GINGER REEVES

SPONSOR:

NARRATIVE: Joe Byrd

This proposed Resolution is required to retrieve the royalty income from the escrow accounts where they are currently held, with Cherokee Nation agreeing to indemnify the U.S. Government for liability limited to the amount it receives from escrow, from liability the Nation(s) may suffer as a result of any and all actions, claims, demands, or judgments arising from and related to the release to the Nation(s) of the royalty income from certain tracts of land in the area of the Arkansas Riverbed currently held in escrow.

This Resolution authorizes the Principal Chief of Cherokee Nation to request the Secretary of the Interior to release those funds owned by all three Riverbed tribes and paid into their Treasury account in accordance with ARBA letter dated 4/30/1992.

IF FURTHER INFORMATION IS NEEDED, PLEASE CONTACT GINGER REEVES, REAL ESTATE SERVICES DIRECTOR, EXT. 5675