



Council of the Cherokee Nation

Cherokee Nation Tribal
Council
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Legislation Details (With Text)

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Title: A RESOLUTION AUTHORIZING THE RELEASE OF ESCROW FUNDS TO THE CHOCTAW, CHICKASAW, & CHEROKEE (NATIONS) OF OKLAHOMA.

Sponsors: Joe Byrd

Indexes: Arkansas Riverbed, Chickasaw Nation, Choctaw Nation, Escrow Account

Code sections: N/A - Not Applicable

Attachments: 1. R-35-18.PDF

Date	Ver.	Action By	Action	Result
8/16/2018	1	OFFICE OF THE CHIEF	Signed	
8/13/2018	1	TRIBAL COUNCIL	Approved	Pass
8/13/2018	1	RESOURCE COMMITTEE	Approved and Forwarded to Council	Pass

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

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.