



## MUSCOGEE (CREEK) NATIONAL COUNCIL PRESS RELEASE

### State Court-Ordered Sale of Bacone College

April 26<sup>th</sup>, 2023, 4:00 pm CST  
Okmulgee, Oklahoma

As the legislative body representing the Muscogee people, the Muscogee (Creek) National Council has multiple responsibilities in addressing the needs of tribal citizens, as set forth in the 1979 Muscogee Constitution, specifically, in **Article VI-Legislative Branch**.

During each legislative session, the National Council receives legislation proposing land purchases, as submitted by the Principal Chief. Land purchases must meet the health, housing and other needs of Muscogee citizens, or long-range plan objectives for administrative, health, judicial and other tribal government facility needs. Land purchases are subject to **MCN Title 28-Lands and Minerals, Chapter 10-Acquisition of Property**, and **NCA 20-047**.

Purchase opportunities can be initiated by a National Council Representative, or the Principal Chief. Properties for sale on the open market, or properties offered directly to the Nation for potential purchase, undergo a thorough property acquisition process, conducted by the tribal administration. This process produces answers to questions about: the property's title status; any potential environmental issues; indebtedness and possible liens; and, general suitability for purchase by the Nation.

If the review is unfavorable for a given property, purchase-authorizing legislation is not submitted to the National Council; for purchases that appear to be feasible, legislation is submitted for consideration by Council committees and the full body.

The American Baptist Home Mission Society (ABHMS) and numerous tribes have a vested interest in Bacone College; while the historic institution is situated within the Muscogee reservation, MCN has no ownership or other legal interest in the College. Recent media reports have documented the financial, environmental and accreditation probation issues the institution has endured, and most recently, the pending sale of Bacone College for unpaid debts.

The National Council explored all viable possibilities, including continuing Bacone College as an institution, subject to its outstanding indebtedness, or an outright attempt to purchase the lands that comprise Bacone College and bring it back into the historic reservation lands of the MCN. Unfortunately, the pending state court-ordered sheriff's auction of Bacone College involves only the claim of one of many creditors of the College. The MCN simply cannot buy all legal interests in the lands of College by paying that one creditor. A question of law involves whether any amount of money paid at the court ordered sheriff's sale could extinguish the legal interests of the known and likely unknown creditors of Bacone College, which would permit the MCN to own it outright. The total indebtedness of the institution is not known at the present time. While regrettable, it appears that the institution may be subject to closure, bankruptcy and other long-term changes.

The Muscogee (Creek) National Council, based on review of the status of Bacone College and pending sale, will not pursue any emergency or other efforts to purchase the institution. This decision is based on the Council's responsibility to perform its "due diligence" in performing its responsibilities, a consensus of National Council Representatives, the advice of the National Council staff attorney, as well as findings resulting from a preliminary property acquisition process.