



**A RESOLUTION OF THE TRIBAL COUNCIL OF THE
DELAWARE TRIBE OF INDIANS AUTHORIZING AN
INDIAN SELF-DETERMINATION ACT CONTRACT FOR
HEALTH PROGRAMS, FUNCTIONS, SERVICES AND
ACTIVITIES AND ASSOCIATED RESOURCES
BENEFITTING TRIBAL MEMBERS AND OTHER NATIVE
AMERICANS IN KANSAS**

Resolution No. 2013 - 54

WHEREAS, the Delaware Tribe of Indians is federally recognized by the Secretary of the United States Department of Interior, as evidenced by the certified results of the Secretarial election held May 26, 2009, in which the Delaware Tribe of Indians voted to adopt a constitution reorganizing under the Oklahoma Indian Welfare Act; and

WHEREAS, the Delaware Tribal Council is authorized by the Constitution and Bylaws of the Delaware Tribe of Indians to represent and act in all matters that concern the general welfare of the Tribe; and

WHEREAS, the Delaware Tribal Council is also authorized by the Constitution and Bylaws of the Delaware Tribe of Indians to negotiate and make contracts with Federal, State, and Local Governments and individuals, firms or companies; and

WHEREAS, the Memorandum of Agreement between the Cherokee Nation and the Delaware Tribe of Indians only pertains to services in the 14 counties known as the jurisdictional boundaries of the Cherokee Nation in Oklahoma; and

WHEREAS, the Delaware Tribe of Indians intends to propose services where applicable to Tribal members as well as other eligible Native Americans located in 36 counties in Kansas including: Allen, Anderson, Bourbon, Butler, Chase, Chautauqua, Coffey, Cowley, Crawford, Douglas, Elk, Franklin, Greenwood, Harper, Harvey, Jefferson, Johnson, Kingman, Labette, Leavenworth, Linn, Lyon, Marion, Miami, Montgomery, Morris, Neosho, Osage, Reno, Sedgwick, Shawnee, Sumner, Wabaunsee, Wilson, Woodson, and Wyandotte; and

WHEREAS, the above counties are within or contiguous to the Tribe's historical jurisdictional boundaries and are not currently within another Tribe's jurisdiction, and represent an area of un-served Tribal members and other Native Americans; and

WHEREAS, the Delaware Tribal Council maintains its Tribal Office on Tribal lands at Caney, KS, and other tribal offices Montgomery and Lyon counties as

well as future development on existing Tribal property in Douglas County in Kansas; and

WHEREAS, the Delaware Tribal Council desires and requests to establish Indian Health Service (IHS)-funded programs, functions, services and activities (PSFAs) within the above-referenced 36 county area to provide services Tribal members and other eligible Native Americans under an Indian Self-Determination Act (ISDA) contract; and

WHEREAS, the Delaware Tribal Council desires to begin ISDA contracting with the IHS with a Contract and Funding Agreement for all behavioral health and alcohol and substance abuse PSFAs and associated funding benefitting tribal members and other IHS-eligible Native Americans in the above referenced 36 county area; and

THEREFORE, BE IT RESOLVED, the Tribal Council authorizes a proposal to contract to be prepared and submitted to the Indian Health Service for all behavioral (mental) health, and alcohol and substance abuse programs, functions, services, and activities at all administrative levels, and associated resources, which benefit the Delaware Tribe of Indians, in the above referenced 36 counties in the State of Kansas, to include services to other eligible Native Americans, and to negotiate and secure an Indian Self-Determination Act contract and funding agreement for such programs and resources to commence on or about February 1, 2014 or as soon as such contract can be executed and to extend for an initial period of three (3) years; and

AND BE IT FURTHER RESOLVED, the Tribal Council is authorized to review and approve the Indian Self-Determination Act contract and funding agreement prepared and negotiated with the Indian Health Service, and to execute such Contract and funding agreement on the Tribe's behalf.

CERTIFICATION

I, hereby, certify that the foregoing was considered by the Tribal Council of the Delaware Tribe of Indians, and adopted this 7th day of October, 2013 by a vote of 7 yes, 0 no and 0 abstaining.



Paula Pechonick, Chief



Verna Crawford, Secretary