A RESOLUTION OF THE TRIBAL COUNCIL
OF THE DELAWARE TRIBE OF INDIANS TO
RENEW THE EXISTING AID TO TRIBAL
GOVERNMENT CONTRACT FOR PERIOD
BEGINNING OCTOBER 1, 2016

RESOLUTION 2016-44

Authored by Dana Marrell, Admin. Asst. to Chief Brooks

WHEREAS, the Delaware Tribal Council is authorized by Article V of 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
Government and individuals, firms or companies; and,

WHEREAS, on or about April 19, 2013, the Delaware Tribe submitted a proposal to the Bureau of
Indian Affairs, Eastern Oklahoma Regional Office, to administer its own Aid to Tribal Government
funding in the approximate amount of $241,073; and,

WHEREAS, the Delaware Tribe of Indians and the Cherokee Nation of Oklahoma entered a
Memorandum of Agreement dated October 24, 2008, duly ratified by the governing bodies of the
respective tribes governing the terms and procedures by which the Delaware Tribe of Indians
should receive and administer certain federal funds appropriated for the benefit of Indians residing
within the boundaries of Cherokee Nation’s former reservation in Oklahoma; and,

WHEREAS, Section III (g)(8) of the said Memorandum of Agreement explicitly authorizes the
Delaware Tribe to receive said Aid to Tribal Government funds budgeted by the United States
government for the use and benefit of the Delaware Tribe of Indians, thereby, making any further
agreement wholly unnecessary; and,

WHEREAS, despite the existing provisions of the Memorandum of Agreement, the Office of Self
Governance, Department of Interior, nonetheless, erroneously required an additional agreement
between the Delaware and Cherokee to effectuate the transfer of funds to the Delaware Tribe;

WHEREAS, without ratifying the position of the Office of Self-Governance, and without waiving
any legal rights under federal law or the Memorandum of Agreement, the Delaware Tribe and the
Cherokee Nation, for expediency purposes, have negotiated the attached Implementation
Agreement between the Delaware and the Cherokee; and,

WHEREAS, the Delaware Tribal Council is aware of the letter dated July 23, 2012 informing the
Cherokee Nation the funding for the Delaware Tribe of Indians will no longer be included in the
Cherokee Nation’s compact; and
WHEREAS, the BIA has issued a notice of expiring contract to the Delaware Tribe of Indians, dated July 27, 2016, stating the P.L. 93-638 program contract no. A14AV00167, with the appropriation amount of $241,073, will be expiring September 30, 2016; and,

WHEREAS, in accordance with the Indian Self-Determination and Education Assistance Act regulations at 25 CFR 900.12, a renewal proposal and Tribal Resolution is required for renewal of a contract expiring; and,

WHEREAS, to insure the renewal award will be in place effective October 1, 2016, all of the requested documentation should be submitted to the Division of Self-Determination, no later than August 15, 2016; and,

WHEREAS, the Delaware Tribal Council of the Delaware Tribe of Indians requests the BIA to accept this resolution 2016-44 and it’s renewal proposal for the P.L. 93-638 program contact no. A14AV00167, with the appropriation amount of $241,073, which will be expiring September 30, 2016.

NOW THEREFORE BE IT RESOLVED, the Delaware Tribal Council of the Delaware Tribe of Indians does hereby authorize, approve and support the renewal of P.L. 93-638 program contact no. A14AV00167, with the appropriation amount of $241,073 to ensure the renewal award will be in place effective October 1, 2016.

CERTIFICATION

I hereby certify that the foregoing was considered by the Delaware Tribal Council of the Delaware Tribe of Indians and adopted this 2nd day of August 2016 with a vote of 6 yes, 0 no, and 0 abstaining.

Chet Brooks, Chief

Attested by: Annette Ketchum, Secretary