A RESOLUTION OF THE TRIBAL COUNCIL OF THE DELAWARE TRIBE OF INDIANS TO ASSUME STATE HISTORIC PRESERVATION OFFICE FUNCTIONS ON TRIBAL LANDS PURSUANT TO THE NATIONAL HISTORIC PRESERVATION ACT

RESOLUTION 2020-03
Drafted by DTHPO Director Dr. Brice Obermeyer

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 National Historic Preservation Act [NHPA Section 101(d)(2)] was amended in 1992 to provide that federally recognized Indian Tribes may assume all or any part of the functions of a State Historic Preservation Office (SHPO) with respect to tribal lands; and

WHEREAS, the 1992 amendments recognized that the national historic preservation program is strengthened by providing Indian Tribes with the opportunity to be full partners in the program; and

WHEREAS, the Delaware Tribe of Indians’ assumption of these functions on our tribal lands is an exercise of our government-to-government relationship with the United States of America; and

WHEREAS, our tribal lands include all lands held in trust for the benefit of the Delaware Tribe of Indians outside the boundaries of an existing reservation and the jurisdictional boundaries of the Cherokee Nation; and

WHEREAS, the Delaware Tribal Council designates the Director of the Delaware Tribe’s Historic Preservation Office, Dr. Brice Obermeyer, to serve as the Tribal Historic Preservation Officer (THPO) to administer this program and carry out SHPO functions on tribal lands.

NOW THEREFORE BE IT RESOLVED, that the Delaware Tribe of Indians does hereby intend to assume State Historic Preservation Office (SHPO) functions on tribal lands pursuant to the National Historic Preservation Act and designates the Director of the Delaware Tribe’s Historic Preservation Office, Dr. Brice Obermeyer as the Tribal Historic Preservation Officer (THPO) to administer this program.

CERTIFICATION

I hereby certify that the foregoing was considered by the Delaware Tribal Council of the Delaware Tribe of Indians and adopted this 15 day of February 2020 with a vote of 7 yes, 0 no, and of 0 abstaining.

Chet Brooks, Chief

Attested by: Charles Randall, Secretary