

**DELAWARE TRIBE OF INDIANS  
PROPOSED MASTER PLAN  
PUBLIC LAW 92-456 JUDGEMENT FUND PROGRAM DISTRIBUTION  
June 3, 1991**

**INTRODUCTION**

In keeping with responsibilities entrusted to them by the Delaware Trust Document, The Delaware Trust Board sets forth this plan to govern the implementation and administration of the Delaware Judgement Fund Distribution Program Plan as provided in Public Law 92-456.

That the funds will be administered through the Delaware Trust Board to establish a perpetual funding plan for the operations of Tribal Programs as provided:

**I. Purpose of The Plan**

The overall purpose of the plan is:

1. To safeguard the assets of the Delaware people.
2. To establish rules and regulations that will govern the administration of the plan.
3. To ensure that every eligible Delaware Tribal Member has an opportunity to benefit from the use of the tribal assets and investments.

The plan will identify general administrative guidelines to ensure effective delivery of services to the Delaware people.

**II. Background**

The Delaware Tribe Disposition of Funds Act, P.L. 92-456, H.R. 14267, provided for the disposition of funds appropriated by Congress on judgement claims awarded under dockets 72 and 298.

Specifically Section 4(b) of Public Law 92-456 states:

The funds not apportioned to the Absentee Delaware Tribe of Western Oklahoma shall be placed to the credit of THE DELAWARE TRIBE in the United States Treasury and shall be used in the following manner: 90 per centum of such funds shall be distributed in equal shares to each person enrolled pursuant to subsection 2(c) (1), and 10 per centum shall remain to the credit of the tribe in the United States Treasury, and may be advanced, expended, invested, or reinvested for any purpose that is authorized by the governing body: Provided, That the Secretary of the Interior shall not approve the use of the funds remaining to the credit of the tribe until the tribe has organized a legal entity which in the judgment of the Secretary adequately protects the interests of its members.

The Delaware Trust Document has established a Legal Entity. The Delaware Trust Board has the responsibility for the design of a plan, that meets Secretarial approval.

**III. Judgement Award**

On December 26, 1969, the United States awarded a claim to the Delaware Tribe of Indians in docket 298, with accumulated interest. The claim was a settlement for the Delaware outlet in Kansas in payment for lands taken in 1856 and 1857 and sold under Treaty of 1854, (10 Stat. 1048 involving sale of the Delaware Trust Land).

**IV. Methodology**

This plan is the product of a series of meetings, planning, and research by the Delaware Trust Board, and Tribal Staff.

This plan will be implemented as follows:

- 1) Leave the original Delaware Judgement Fund award of approximately \$1.5 million under the supervision of the BIA.
- 2) Leave the accumulated interest to date of the Delaware Judgement fund award under the supervision of the BIA.
- 3) For the purpose of this plan the definition of the Delaware Judgement Fund award shall mean the original award from Dockets 72 and 298 plus all accumulated interest up to but not including the federal fiscal year prior to the approval date of this plan.

4) All annual interest from The Delaware Judgement Fund accumulated during the federal fiscal year immediately prior to the approval date of this plan shall be transferred to the management of the Trust Board upon approval of this plan.

5) All subsequent annual interest from the Delaware Judgement Fund (commencing from the date of approval of this plan) shall be transferred to the management of the Trust Board upon budget approval by the Area Director's office of the BIA.

6) All money under the supervision of the Trust Board shall be placed in secure interest bearing accounts.

7) All money under the supervision of the Trust Board shall be audited at the conclusion of the Tribal fiscal year by an independent certified public accountant.

8) There will be no application for tribal services under the programs within this plan until the plan is approved by the Secretary of the Interior of the BIA. Application forms, guidelines and processes shall require the approval of the Trust Board prior to implementation.

9) Only registered members of the Delaware Tribe of Indians are eligible to apply for tribal services and programs presented in this plan.

10) The payment of services and benefits within this plan shall be made directly to the vendor.

11) All funds allocated to a program within this plan that are not properly disbursed at the conclusion of the Tribe's fiscal year shall, upon approval of the Trust Board, be carried over to that program's next fiscal year budget for proper disbursement.

12) The Trust Board reserves the right to transfer the investment management of the Delaware Judgement Fund from the Bureau of Indian Affairs to a private sector entity (as provided in Public Law 92-456, Section 4 (b)) upon approval of a properly submitted resolution to the Bureau of Indian Affairs. Such resolution and transfer shall require the approval of the Bureau of Indian Affairs.

(a) Neither the United States nor the Secretary of the Interior shall be liable, because of the Secretarial approval of an investment decision under this plan, for any losses encountered with such an investment decision.

13) The Trust Board reserves the right to withdraw funds from the Delaware Judgement Fund provided:

a) The Trust Board shall require the approval of the Bureau of Indian Affairs.

b) The withdrawal of funds shall not exceed twenty percent (20%) of the total Delaware Judgement Fund Award.

c) The withdrawal will not reduce the principal below a value of less than \$3.8 Million.

d) There shall be no more than one withdrawal from the Delaware Judgement Fund during the Tribe's fiscal year.

**V. Distribution Plan**

The Program Plan Distribution will be as follows:

**Delaware Tribe Distribution Program**

1) Community Service	25%
2) Economic Development	25%
3) Education	20%
4) Tribal Operations	10%
5) Reinvestment	10%
6) Land Management	05%
7) Cultural Preservation	05%
	100%

**VI. Plan of Operation**

## Distribution of Tribal Development Funds

The Trust Board will determine the duration, coverage eligibility requirements, commencement date, budget amounts, and rules and regulations for each of the selected distribution areas.

### Part (1) - Community Service - 25%

The purpose of the Delaware Community Services Program is to promote the general welfare and well being for members of the Delaware Tribe of Indians through support services and technical assistance.

The Community Services Program will meet the needs for family and individual support services for the individual members through a family assistance program, which will include a Central Information-Referral Service component.

This service program will assist members on an emergency basis with financial assistance. It will facilitate all available self-help programs to avoid a duplication of services. This service will be flexible and include all age groups.

Eligibility criteria shall be developed by the Community Services Committee with Trust Board Approval. The Criteria items will include:

- 1) Verification of Tribal membership.
  - 2) Verification of needs through income guidelines.
- (SEE EXHIBIT - PART 1.0)

### Part (2) - Economic Development - 25%

Program monies allocated shall fund an approved economic development program to establish a perpetual funding resource for Tribal economic and social service development.

#### Economic Development Plan

The purpose of economic development for the Delaware Tribe is to provide supplemental revenue for tribal social programs and, jobs and income for tribal members.

The Delaware Trust Board will establish an office of ECONOMIC DEVELOPMENT DIRECTOR which will implement the process that will produce results that satisfy the purpose of this plan. The Economic Development Director will be responsible for the administration of the monies allocated for supporting the Delaware Economic Development Plan.

The Delaware Trust Board will establish an Economic Development Advisory Board that will be responsible for making recommendations to the Economic Development Director and the Delaware Trust Board regarding, but not limited to, business development, tribal investments, contract proposals, trust development, corporate development, land acquisition, loan policies, contract management, accounting and employment procedures and guidelines.

The Delaware Trust Board will establish guidelines for the operation and authority of the Economic Development Advisory Board. (SEE EXHIBIT PART 2.0)

### Part (3) - Education - 20%

#### Purpose

All educational programs shall be available to all qualified, registered Delaware students regardless of geographical location.

The Delaware Tribal Educational Plan is designed to assist qualified Delaware Students in their educational goals.

The Educational Committee shall be formed to develop and implement the Educational Plan and the Application Process of the Plan. This committee shall be composed of three members from the Delaware Trust Board and the Delaware Tribal Business Manager as an ex-officio member. (SEE EXHIBIT - PART 3.0)

### Part (4) - Tribal Operations - 10%

The purpose of this program is to provide an administrative structure of operations that will implement and maintain the various services called for in the plan. Tribal Operations shall include, but not be limited to, Personnel (a staff to administer tribal affairs); buildings, equipment, facilities, records, and the maintenance, repair and acquisition thereof; the operation of the Delaware Indian News; all related public relations efforts; and all tribal registration and membership data. The Trust Board shall approve all regulations and guidelines pertaining to Tribal Operations. (SEE EXHIBIT 4.0)

### Part (5) - Reinvestment - 10%

The Trust Board, on an annual basis, will reinvest ten percent of the annual accumulated interest on the principal amount (Delaware Judgement Fund) back into such principal amount. (SEE EXHIBIT - 5.0)

### Part (6) - Land Management - 05%

Land Management will include the responsibilities of normal maintenance activities of existing property and will include future land acquisition for the purpose of enhancing and supplementing the present land base. (SEE EXHIBIT - 6.0)

### Part (7) - Cultural Preservation - 05%

The purpose of the Cultural Preservation Program is to provide greater understanding of the Delaware Indian Culture.

In order to further their unique culture, the Delaware Tribe of Indians will implement a preservation program to maintain the language, ceremonies, and traditions of the Lenni Lenape.

The Delaware Trust Board shall develop a committee of Tribal Elders, historians, staff members, and volunteers to implement the program. (SEE EXHIBIT - PART 7.0)

## Part VII - Conclusions and Recommendations

The Delaware Trust Board has worked diligently and conscientiously in preparation of this Master Plan as required in the Delaware 10% Judgement Funds Distribution Program Plan appropriated by the Act of December 26, 1969, (83 Stat. 447, 453) (unclassified) to pay a judgement in favor of the Delaware Tribe of Indians in Docket 298, and in docket 72, together with any interest thereon in the Act of Congress dated October 3, 1971, P. L. 92-456, 86 Stat. 762, 25 U.S.C. h1294(b).

The Delaware Trust Board has established an effective governance that provides a necessary foundation and condition for social and economic development of the Delaware Tribe. The Delaware Judgement Fund Award provides the Trust Board the opportunity to strengthen the infrastructure and increase the ability of the tribe to organize, plan, develop and administer a comprehensive program to support community, social and economic self-sufficiency.

#### Delaware Proposed Master Plan - Exhibit 1.0 Community Services Part (1)

**Duration:** This program is designed to provide family and individual support services for the Delaware Tribal membership.

**Coverage:** The Community Service Program for the Delaware Judgement Fund will be national in scope to cover enrolled Tribal members as family, individuals, and as a community resource referral service component.

**Commencement:** The program will commence upon approval by referendum of the Tribal membership.

**Budget:** Budgeted amount for Community services from the Delaware Judgement Fund award will be: National in scope to cover all enrolled tribal members.

Budgeted amount for Community Service Plan from the Delaware Judgement Fund award will be: 25% of the allocated interest money.

#### Regulations

The Community Services Program will promote the general welfare and well being for the members of the Delaware Tribe of Indians through support services and technical assistance. This supportive service will meet the need for Delaware Family Assistance and will provide a Central Information - Referral Service component. The services will be available on an emergency basis and will provide such services as financial assistance.

The program will be Nation-wide and will combine community resource involvement in order to facilitate all available self-help projects and to avoid duplication of services. Additionally, the program will be flexible to include all age groups.

**Delaware Proposed Master Plan - Exhibit 2.0**  
**Economic Development**  
**Part (2)**

**Duration:** This program is designed to provide Economic Development for tribal enterprises and will provide a resource for perpetual funding for the Tribal membership.

**Coverage:** The Economic Development Program for the Delaware Judgement Fund award will be national in scope to provide enrolled Tribal members an economic base.

**Commencement:** The program will commence upon approval by referendum of the Tribal membership.

**Budget:** Budgeted amounts for Economic Development from the Delaware Judgement Fund award will be: National in scope to cover all enrolled tribal members.

Budgeted amounts for Economic Development from the Delaware Judgement Fund award will be: 25% of the allocated interest money.

**Regulations**

The Economic Development Program will be monitored by the Economic Development Planning Committee. Tribal enterprises will be developed only through technical assistance of the advisory board and approval of the Trust Board.

The Economic Development Program is designed to assist enrolled Tribal members by providing a resource for perpetual funding, establishing a tribal land base and expanding tribal economic development.

**Delaware Proposed Master Plan - Exhibit 3.0**  
**Education Program**  
**Part (3)**

**Duration:** This program will be available as long as funds will permit and renewed annually.

**Coverage:** The target groups will include all qualified Delaware students.

**Commencement:** The program will commence upon approval by referendum of the Tribal membership.

**Budget:** Budgeted amount for the Educational Program from the Delaware Judgement Funds award will be: National in scope to cover all enrolled tribal members.

Budgeted amounts for the Education program from the Delaware Judgement Funds award will be: 20% of the allocated interest money.

**Regulations**

The Delaware Education Program has been designed to assist the scholastic achievements for levels of the education systems. From (K-12), secondary, post-secondary, college, post-graduate and professional enhancement throughout the United States.

**Delaware Proposed Master Plan - Exhibit 4.0**  
**Tribal Operations**  
**Part (4)**

**Duration:** This program is designed to provide a centralized resource center for the management of the Delaware Tribal operations and service benefits.

**Coverage:** The Tribal Operation program for the Delaware Judgement Fund will be national in scope to provide registered Tribal members a viable service.

**Commencement:** The program will commence upon approval by referendum of the Tribal membership.

**Budget:** Budgeted amounts for Tribal operations from the Delaware Judgement Fund award will be: National in scope to cover all registered tribal members.

Budgeted amounts for Tribal operations from the Delaware Judgement Fund award will be: 10% of the allocated interest money.

**Regulations**

The Tribal Operations Program will provide an administrative structure that will implement and maintain the services called for in the plan. Tribal Operations shall include, but not be limited to; Personnel (a staff to administer tribal affairs); building, equipment, facilities, records, and the maintenance, repair and acquisition thereof; the operation of the Delaware Indian News; and will provide a centralized resource center for the operative procedures for the plan.

**Delaware Proposed Master Plan - Exhibit 5.0**  
**Reinvestment**  
**Part (5)**

**Duration:** This program is designed to enhance the perpetual funding resource for the Tribal Membership.

**Coverage:** The Reinvestment Program will be National in scope to provide Tribal Members a continuous economic base for growth and expansion of Tribal programs and services.

**Commencement:** The program will commence upon approval by referendum of the Tribal membership.

**Budget:** Budgeted amounts for the Reinvestment Program from the Delaware Judgement Fund award will be: National in scope to provide a continued economic resource for the Tribal members.

The budget for the Reinvestment Program from the Judgement Fund award will be: 10% of the allocated interest money.

**Regulations**

The Reinvestment Program will provide a continuous growth of the Tribal financial reserve and enhance the concept of a perpetual funding source for the Delaware membership.

**Delaware Proposed Master Plan - Exhibit 6.0**  
**Land Management**  
**Part (6)**

**Duration:** This program is designed to provide normal maintenance activities of existing Tribal properties and will include operations for future growth.

**Coverage:** The Land Management Program will be National in scope to provide maintenance service for Tribal property.

**Commencement:** The program will commence upon approval by referendum of the Tribal membership.

**Budget:** Budgeted amounts for Land Management from the Delaware Judgement Fund award monies will be: National in scope to provide maintenance service for Tribal properties.

Budgeted amounts for Land Management from the Judgement Fund award will be: 05% of the allocated interest money.

**Regulations**

The Land Management Program will provide normal maintenance activities for Tribal properties.

Delaware Proposed Master Plan - Exhibit 7.0  
Cultural Preservation  
Part (7)

- Duration:** This program is designed to provide a viable system which will establish a resource to promote a comprehensive understanding of the Delaware Indian traditions and culture.
- Coverage:** The Cultural Preservation Program will be National in scope to provide for the preservation of Delaware Tribal Culture.
- Commencement:** The program will commence upon approval by referendum of the Tribal membership.
- Budget:** Budgeted amounts for Cultural Preservation from the Delaware Judgement Fund award monies will be: National in scope to provide a centralized resource service for the Tribal members.
- Budgeted amounts for Cultural Preservation from the Judgement Fund award will be: 05% of the allocated interest money.

**Regulations**

The Cultural Preservation Program will provide a centralized system to maintain the language, ceremonies, and traditions of the Lenax Lenape. This program will include the establishment of a museum, library, ceremonial grounds and learning resource center for the Tribal membership.