



**A RESOLUTION OF THE TRIBAL COUNCIL
OF THE DELAWARE TRIBE OF INDIANS TO
APPROVE AND SUBMIT THE REQUEST FOR
PROPOSED CONTRACT UNDER THE P.L. 93-
638 PROGRAM**

RESOLUTION 2019-15

Authored by David McCullough for the Tribal Court

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, 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, Article III (f)(3) of the said Memorandum of Agreement provides that the Delaware Tribe may administer and operate programs and services within the jurisdictional boundaries of the Cherokee Nation if the Secretary of State of the Nation makes a written determination that the Delaware Tribe may administer the program or services; and

WHEREAS, on or about September 10, 2018, the Delaware Tribe submitted a proposal to the Bureau of Indian Affairs, Office of Tribal Justice Support requesting funding for the Delaware Tribal Court for training, equipping and assisting tribal court personnel to hear child support cases which the Tribal Court had been hearing for two years; and

WHEREAS, on September 21, 2018, the Delaware Tribe was notified by letter from the BIA awarding a one-time grant in the amount of \$163,887 for child support enforcement services; and

WHEREAS, on December 12, 2018, the Cherokee Nation Secretary of State notified the Delaware Tribe in writing that the Cherokee Nation did not object to the funding request awarded by the BIA to the Delaware Tribe; and

WHEREAS, the BIA has subsequently notified the Delaware Tribe that the funding awarded by the Office of Tribal Justice Support has been authorized for distribution but that the Delaware Tribe must submit a proposal to enter into a Public Law 93-638 contract before the funds can be distributed to the Delaware Tribe of Indians; and

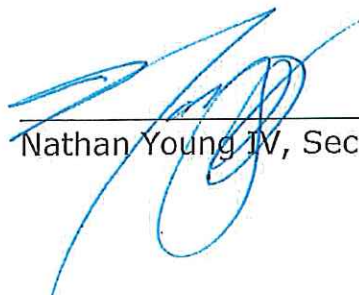
WHEREAS, in accordance with the Indian Self-Determination and Education Assistance Act regulations at 25 CFR 900.8, a Tribal Resolution is required for submission of a proposal for contract.

NOW THEREFORE BE IT RESOLVED, the Delaware Tribal Council of the Delaware Tribe of Indians does hereby authorize, approve and submit the request for proposed contract under the P.L. 93-638 program to secure the amount of funds already set aside for the Delaware Tribe by the Bureau of Indian Affairs.

CERTIFICATION

I hereby certify that the foregoing was considered by the Delaware Tribal council of the Delaware Tribe of Indians and adopted this 4 day of April, 2019 with a vote of 7 yes, 0 no, and 0 abstaining.


Chet Brooks, Chief


Nathan Young IV, Secretary

