



**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 2019-57

Authored by Chet Brooks, Chief

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 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 service; and,

WHEREAS, the Delaware Tribe was notified by the BIA of a one-time grant for child support enforcement services; and,

WHEREAS, on or about October 10, 2018, the Delaware Tribe submitted a proposal to the Bureau of Indian Affairs Office of tribal justice support requesting funding 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 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 notified the Delaware Tribe of Indians that the proposal submitted in 2018 should be amended to request FY 2020 funding; and,

WHEREAS, the Delaware Tribal Council deems it to be in the best interest of the Delaware Tribe of Indians to submit such an amendment to the BIA for purposes of supporting its proposal for funding and to extend the request for funding contained herein to any additional funding that may become available in the future; 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 available funds in 2020 and possible funding available in future years for the Delaware Tribe by the Bureau of Indian Affairs for services provided by the tribal court for Delaware tribal members and child support enforcement services.

CERTIFICATION

I hereby certify that the foregoing was considered by the Delaware Tribal Council of the Delaware Tribe of Indians and adopted this 21ST day of DECEMBER 2019 with a vote of 6 yes, 0 no, and 0 abstaining.


Chet Brooks, Chief


Attested by: Charles Randall, Assistant Chief

