A RESOLUTION OF THE TRIBAL COUNCIL OF THE DELAWARE TRIBE OF INDIANS APPROVING THE DELAWARE TRIBE OF INDIANS SECURED TRANSACTIONS ACT

RESOLUTION 2022-75
Author: O. Joseph Williams, Tribal Attorney

WHEREAS, the Delaware Tribal Council is authorized by Section A of 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 authorized by Section K of Article V of the Constitution and Bylaws of the Delaware Tribe of Indians to manage and control community/tribal property, enterprises, and other economic projects and programs of the Delaware Tribe; and

WHEREAS, the Delaware Tribe and its Tribally-chartered business entities, as well as other non-Tribal individuals and entities that seek to conduct business within the jurisdiction of the Delaware Tribe, may have a need as a requirement for financing for the Tribe to have enacted a law by which lenders can perfect security interests in certain collateral; and

WHEREAS, the Delaware Tribal Council finds it necessary and appropriate to enact as a law of the Delaware Tribe of Indians the legal means by which secured parties may have the same rights with respect to collateral as would exist in the Uniform Commercial Code, as adopted in many jurisdictions, to govern security interests, including its creation, attachment, perfection, and priority; and

WHEREAS, in furtherance of this objective, the Delaware Tribal Council adopts the “Delaware Tribe of Indians Secured Transactions Act,” which is attached to this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE DELAWARE TRIBAL COUNCIL, that the Delaware Tribal Council hereby approves and adopts the attached “Delaware Tribe of Indians Secured Transactions Act” in the form attached hereto, to become effective immediately; and

BE IT FURTHER RESOLVED BY THE DELAWARE TRIBAL COUNCIL, the Tribal Attorney is authorized to provide any necessary editorial corrections or minor clerical or grammatical errors in the Act, without further Tribal Council approval, and, when completed, the Act shall be made publicly available including posting on the Tribal website.
CERTIFICATION

I hereby certify that the foregoing was considered by the Delaware Tribal Council of the Delaware Tribe of Indians and adopted this 15th day of October 2022 with a vote of 5 yes, 0 no, and 0 abstaining.

Brad KillsCrow, Chief

Arrested by: Nicky Kay Michael, Secretary