



A RESOLUTION OF THE TRIBAL COUNCIL OF THE DELAWARE TRIBE OF INDIANS ESTABLISHING A TRIBAL CONSULTATION POLICY FOR BILATERAL GOVERNMENT-TO-GOVERNMENT RELATIONS WITH FEDERAL AND STATE AGENCIES

RESOLUTION 2019-24

Drafted by DTHPO Special Assistant Larry Heady, at the request of 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, United States federal Indian trust doctrine and United Nations doctrine of Free Prior Informed Consent (FPIC) support the establishment of strong, consistent, and uniform tribal consultation policies; and

WHEREAS, Congress, federal agencies and state agencies supported by federal oversight and funding have failed to establish consistent and uniform tribal consultation policies; and

WHEREAS, the establishment of a uniform tribal consultation policy by the Delaware Tribe of Indians is a legitimate exercise of its inherent cultural and political sovereignty; and

WHEREAS, the establishment of a uniform tribal consultation policy by the Delaware Tribe of Indians is necessary and essential to facilitate the bilateral nation-to-nation relationship that exists between the Tribe and the United States which began on September 17, 1778;

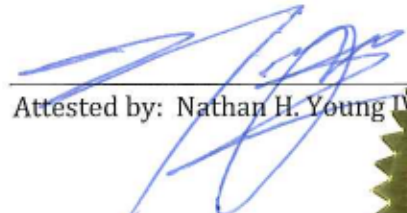
NOW THEREFORE BE IT RESOLVED, that the Delaware Tribe of Indians does hereby adopt and establish the Delaware Tribe of Indians Tribal Consultation Policy (15 pages, attached); and

BE IT FURTHER RESOLVED, that the Delaware Tribe of Indians Tribal Consultation Policy shall have the full force and effect of Tribal Law and shall inform and guide the Tribe's government-to-government relationship with all state and federal agencies.

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 June 2019 with a vote of 5 yes, 0 no, and of 0 abstaining.


Chet Brooks, Chief


Attested by: Nathan H. Young IV

