

# CITIZEN POTAWATOMI NATION



RESOLUTION # 98-01

**A RESOLUTION REQUESTING A FY-97 NEGOTIATION COOPERATIVE AGREEMENT AUTHORIZED BY TITLE III OF THE INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT (PUBLIC LAW 93-638) WITH AMENDMENTS. THE NEGOTIATION AGREEMENT SHALL BE BETWEEN THE DHHS, PHS, IHS OFFICE OF SELF-GOVERNANCE, AND THE CITIZEN POTAWATOMI NATION EFFECTIVE AUGUST 1, 1997. THE AGREEMENT IS TO PROVIDE RESOURCES FOR NEGOTIATION WITH IHS IN THE AMOUNT OF \$20,000.00.**

**WHEREAS,** the Citizen Potawatomi Nation is a federally recognized Tribe of American Indians with constitutional authority under the Thomas-Rogers Oklahoma Indian Welfare Act of June 26, 1936, (40 Stat. 1967); and

**WHEREAS,** the Citizen Potawatomi Nation, the largest of the Potawatomi Indian Tribes, has, through a continuation of Potawatomi history and organized self government since time immemorial, sovereign powers inherent in tribal tradition and recognized by treaties with the United States and in the United States Constitution; and

**WHEREAS,** the Citizen Potawatomi Nation Constitution and By-laws provide that the Business Committee is empowered to enact legislation, transact business, and otherwise speak or act on behalf of the Citizen Potawatomi Nation in all matters on which the Tribe is empowered to act now or in the future; and

**WHEREAS,** the FY-97 Cooperative Agreement announcement dated June 5, 1997 published by the IHS sets the eligibility criteria for this application as follows: 1) Applicant must be federally recognized as defined in P.L. 93-638, 2) Apply by a tribal resolution, 3) Have two or more mature contracts, 4) Submit organization wide single audit reports for 1993, 1994, and 1995 that contain no significant or material audit exceptions, and 5) Successfully completed an IHS SG planning grant; and

**WHEREAS,** the Citizen Potawatomi Nation meets all eligibility criteria described in the foregoing paragraph and hereby submits all application information as required for compacting; and

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**WHEREAS,** the Citizen Potawatomi Nation has informed the Indian Health Services Headquarters via a letter of intent dated March 15, 1995 and a tribal Resolution (Pott #95-56) dated March 29, 1995 that the Nation desires to compact under Self-Governance in all health programs, functions, services, and activities managed by Oklahoma City Area IHS, Rockville Headquarters, and the Shawnee, Oklahoma Service Unit; and

**WHEREAS,** the Citizen Potawatomi Nation administers a Title I Contract (No. 246-97-0017) for all operations of the Nations Health Clinic to provide medical & health services. The clinic contract was authorized by the Business Committee with the stipulation, "When a compact becomes available, the Title I Contract would be given Title III Compact status," notwithstanding, a letter of intent signed by Chairman, John A. Barrett, Jr. on March 15, 1995 signifies an interminable waiting period of two years and three month; and

**WHEREAS,** of the five Tribes which are in the Shawnee Service Unit area, the Citizen Potawatomi Nation is the only Tribe remaining without a compact with IHS.


**WHEREAS,** the Citizen Potawatomi Nation has a record of successfully administering a varied service program for tribal members utilizing special revenue funds as outlined in the annual report; and

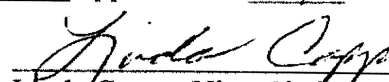
**WHEREAS,** the Business Committee of the Citizen Potawatomi Nation does hereby commit the Nation to a negotiation agreement and directs John A. Barrett, Jr., Chairman, to assume the position of a lead negotiator and final approval signatory for the Compact/AFA; NOW

**THEREFORE BE IT RESOLVED,** that the Business Committee of the Citizen Potawatomi Nation hereby requests that the Indian Health Services approve a negotiation cooperative agreement in the amount of \$20,000.00 to assist the Nation with costs associated with negotiation for compact under the SGDP. This agreement is authorized by P.L. 93-638, as amended.

## CERTIFICATION

We, the members of the Business Committee of the Citizen Potawatomi Nation, do hereby certify that the above is a true and exact copy of Resolution POTT # 98-01, as approved on the 2nd day of July, 1997, with 4 voting for, 0 opposed and 1 absent.

  
John A. Barrett, Jr., Chairman

  
Linda Capps, Vice-Chairman