

**NATIVE VILLAGE OF KANATAK
RESOLUTION NO. 2010-01**

**TO RETROCEDE AND ASSUME CONTRACTS UNDER THE SELF-
DETERMINATION ACT AND FOR RELATED PURPOSES.**

WHEREAS, the Native Village of Kanatak is a federally recognized “Tribe” fully authorized to act on behalf of the members of the Tribe in matters arising under the Indian Self-Determination Act of 1975, as amended, 25 USC ' 450 et. seq. ("the Act"); and

WHEREAS, the Kanatak Tribal Council is the governing body of the Tribe and fully empowered to act for and on behalf of the Tribe in adopting this resolution;

WHEREAS, the Native Village of Kanatak has previously authorized the Bristol Bay Native Association (ABBNA@) to contract and compact for certain programs, services, functions and activities under the Act;

WHEREAS, the Tribe now desires to retrocede certain of those contracts and programs and to contract for the programs directly;

WHEREAS, the Tribe=s territory extends to lands on the Alaska Peninsula, including specifically lands in the vicinity of Kanatak;

WHEREAS, it will further the purposes of the Act if the Tribe contracts for programs to serve Native Americans within its territory;

WHEREAS, the Tribe desires to retrocede all Bureau of Indian Affairs (“BIA”) and other Department of the Interior (“DoI”) programs, services, functions and activities previously contracted or compacted to BBNA and assume direct responsibility for the same.

WHEREAS, programs, services, functions and activities of other federal agencies administered by entities other than BBNA are not within the scope of this resolution.


NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

- (1) The Tribe hereby requests retrocession of all BIA and DoI programs, services, functions and activities contracted or compacted under the Act with BBNA for or on behalf of the Tribe and any Native Americans living within its territory.
- (2) The Tribe hereby requests to contract to assume all the retroceded BBNA contracted or compacted programs, services, functions and activities in the Tribe's territory including, but not limited to, employment assistance, financial aid for higher education, social services, housing, natural resources, roads and road maintenance,

Indian child welfare, tribal operations, aid to tribal government, tribal courts and justice programs, wildlife and parks, ANILCA, water resources, real estate services and all consolidated or unconsolidated employment and training programs.

- (3) Any or all portions of inconsistent authorizing resolutions previously issued to BBNA for the foregoing programs, services, functions and activities are hereby rescinded and reissued to the Tribe as provided in this resolution. Only to the extent required by law, the foregoing programs, services, functions and activities are to be retroceded to the appropriate federal agency and immediately re-contracted to the Tribe as provided in this resolution.
- (4) It is the intention of the Tribe to not experience an interruption of services and that, therefore, this authorizing resolution takes effect as of October 1, 2009, the beginning of the FY 2010 federal fiscal year, provided that BBNA, the BIA or any other cognizant that actually receives FY 2010 funds is authorized to receive funding for and to operate the programs, services, functions and activities for which the Tribe is given operational authority under this resolution but only until the actual date of the Tribe=s assumption of responsibility for the same..
- (5) The Tribal President, or his successor designated in writing by the Tribal Council, is the tribal official authorized to negotiate and execute such contracts or amendments to such contracts.
- (6) The Tribal Council shall review any such contract prior to its execution.
- (7) The President or his successor is also authorized to request reprogramming of funds as necessary and permitted by law to best serve the Tribe=s members or other Native people benefitting from the programs, services, functions and activities contracted to the Tribe.
- (8) The Tribe proposes that its contracts under the Act shall commence on or about October 1, 2009 and shall continue indefinitely from year to year thereafter.
- (9) The authorities granted under this resolution shall continue indefinitely until terminated by resolution of the Tribal Council.

PASSED AND APPROVED THIS 8th DAY of February 2010 at a duly called Tribal Council meeting at which a quorum was present.


Shawn Olivera, President


Ronalda Olivera, Secretary