

QAGAN TAYAGUNGIN TRIBE

P.O. BOX 447
SAND POINT, ALASKA 99661
(907) 383-5616

RESOLUTION 98-03

A RESOLUTION OF THE QAGAN TAYAGUNGIN TRIBAL COUNCIL REQUESTING THE UNITED STATES OF AMERICA AND THE SECRETARY OF HEALTH AND HUMAN SERVICES HONOR THE PROVISIONS OF PL 93-638 CONCERNING EASTERN ALEUTIAN TRIBE'S, INC. GOVERNMENT TO GOVERNMENT STATUS IN REPRESENTING THE QAGAN TAYAGUNGIN TRIBE AND OTHER EASTERN ALEUTIAN TRIBES ESSENTIAL STATEWIDE HEALTH SERVICES IN ALASKA.

WHEREAS: The Qagan Tayagungin Tribe of Sand Point is a sovereign federally recognized tribe with government to government status with the United States of America; and

WHEREAS: The Qagan Tayagungin Tribal Council is the governing body of the Qagan Tayagungin Tribe of Sand Point authorized by its constitution to act on behalf of its tribal members; and

WHEREAS: The Qagan Tayagungin Tribe designated and put its trust in Eastern Aleutian Tribes, Inc. by resolution under PL. 93-638 to provide health care and represent Qagan Tayagungin Tribe's interests in negotiating funds and services from Indian Health Service, and

WHEREAS: The Qagan Tayagungin Tribe's action was done in a government to government relationship between the Qagan Tayagungin Tribe and the United States of America, and

WHEREAS: Section 325 of PL. 105-83 has denied Eastern Aleutian Tribes, Inc. the right to directly represent the Qagan Tayagungin Tribe in negotiating funds and services provided Eastern Aleutian Tribes, Inc. by tribal resolution for Essential Statewide Health Services in Alaska, and

WHEREAS: Section 325 of PL. 105-83 have diminished Eastern Aleutian Tribes, Inc.'s status to that of a single 'unaffiliated tribe', thereby diminishing the representation, authority and powers of the Qagan Tayagungin Tribe to exercise its vote and sovereignty provided it by PL. 93-638, and

WHEREAS: Section 325 of PL. 105-83 is the diminution of our tribes' representation and the status of Eastern Aleutian Tribes, Inc., relative to the other regional health corporations in Alaska, and

WHEREAS: Section 325 of PL. 105-83 violates the government to government relationship of the tribe's authority and are therefore illegal and in violation of PL. 93-638 and other established laws governing the treatment of Indian tribes.

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NOW THEREFORE BE IT RESOLVED that the Qagan Tayagungin Tribal Council applies to the United States of America and the Secretary of Health and Human Services to represent itself for the purposes of Essential Statewide Health Services in Alaska and in choosing or delegating its representation in negotiating the funds and services from the Indian Health Service.

BE IT FURTHER RESOLVED that the Qagan Tayagungin Tribe applies to the United States of America and the Secretary of Health and Human Service to honor its federal trust responsibilities and the government to government status provided Indian and Alaska Native tribes in PL. 93-638.

PASSED AND APPROVED BY A QUORUM OF THE QAGAN TAYAGUNGIN TRIBAL COUNCIL THIS 16TH DAY OF JANUARY 1998.

ATTEST:


President


Secretary/Treasurer

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QAGAN TAYAGUNGIN TRIBE

P.O. BOX 447
SAND POINT, ALASKA 99661
(907) 383-5616

DATE: 1/16/98

RESOLUTION NO. 98-03

The attached resolution was an urgent matter requiring immediate Tribal Council action whereby a special meeting of the Tribal Council was not possible and will be placed on the upcoming QTT Tribal Council Meeting agenda to ratify the action taken by the following Tribal Council Members.

NAME	SIGNATURE (Member or Employee Attesting to action)	VOTE (Check one box)	
		YES	NO
Edith I. Jacobsen,	<u>Edith I. Jacobsen</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David O. Osterback	_____	<input type="checkbox"/>	<input type="checkbox"/>
Sharon Ilakala	<u>Sharon M Ilakala</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jack Foster, Jr.	_____	<input type="checkbox"/>	<input type="checkbox"/>
Connie Kochuten	_____	<input type="checkbox"/>	<input type="checkbox"/>
Anne Christine Nielsen	_____	<input type="checkbox"/>	<input type="checkbox"/>
Peggy N. Osterback	<u>Peggy N. Osterback</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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		YES	NO
Edith I. Jacobsen,	_____	[]	[]
David O. Osterback	_____	[]	[]
Sharon Hakala	_____	[]	[]
Jack Foster, Jr.	_____	[]	[]
Connie Kochuten	_____	[]	[]
Anne Christine Nielsen	<u>Anne Christine Nielsen</u>	<input checked="" type="checkbox"/>	[]
Peggy N. Osterback	_____	[]	[]

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		YES	NO
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David O. Osterback	_____	[]	[]
Sharon Hakala	_____	[]	[]
Jack Foster, Jr.	<u>Jack Foster Jr. by CKK</u>	[X]	[]
Connie Kochuten	<u>Connie Kochuten by R.O. 1/16/98</u>	[]	[]
Anne Christine Nielsen	_____	[]	[]
Peggy N. Osterback	_____	[]	[]