



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE SUBMISSION OF INDIRECT COST RATE PROPOSAL

RESOLUTION 2-22-11 H

- WHEREAS,** on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and
- WHEREAS,** the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") gives the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; and
- WHEREAS,** Article V, Section 2(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; and
- WHEREAS,** Article V, Section 2(i) of the Constitution grants the Legislature the power to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and
- WHEREAS,** Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers; and
- WHEREAS,** over time, the Ho-Chunk Nation has submitted proposals to federal authorities for the collection of Indirect Costs such as those costs that can be readily identified as a direct contract, grant, or program cost and which benefit a particular cost objective of the Nation; and
- WHEREAS,** the Nation calculates Indirect Costs through its Treasury Department and based upon federal regulations, as well as the Nation's audited financial statements and budget amounts; and
- WHEREAS,** the Nation's Treasury Department has calculated the Nation's Indirect Costs for July 1, 2008 – June 30, 2009 and prepared a rate proposal for filing; and

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WHEREAS, the Treasury Department presented the Nation's Indirect Cost Rate Proposal for July 1, 2008-June 30, 2009 to the Legislature for discussion and to gain authorization for filing; and

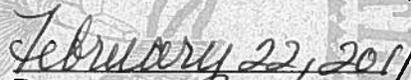
NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, authorizes the Nation's Treasury Department to complete its Indirect Cost Rate Proposal for July 1, 2008-June 30, 2009 and submit the same to the appropriate federal authorities, and hereby authorizes the President to execute the necessary documents on behalf of the Nation; and

BE IT FURTHER RESOLVED that should the Nation receive a response that requires further deliberation or negotiation from the Nation to federal authorities, the Treasury Department shall notify the Legislature, President and appropriate staff from the Executive and Legislative Branches, and collaborate with appropriate staff in order to prepare the Nation's response.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certifies that the Legislature of the Ho-Chunk Nation, composed of **13 members** of whom **7** constituting a quorum were present at a meeting duly called and convened and held that on the **22nd day of February, 2011**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **7 members, 0 opposed, and 0 abstaining**, pursuant to the Article V, Section 2(a) and (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that the foregoing resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.


Hope B. Smith, Tribal Secretary


Date

