



13394 W Trepania Road. Hayward. Wisconsin. 54843
Phone 715-634-8934. Fax 715-634-4797

RESOLUTION NO. 2024-102

LAC COURTE OREILLES BAND OF LAKE SUPERIOR CHIPPEWA INDIANS TRIBAL CODE OF LAW PRP.9 “AMERICAN RESCUE PLAN ACT AND HOMEOWNER ASSISTANCE FUND POLICES AND PROCEDURES” AMENDMENTS

WHEREAS, the Lac Courte Oreilles Band of Lake Superior Chippewa Indians is a federally recognized Indian tribe ("Tribe") organized pursuant to the provisions of the Indian Reorganization Act of 1934, 25 U.S.C. §5101, *et seq.*; and,

WHEREAS, the Tribal Governing Board serves as the governing body of Lac Courte Oreilles Band of Lake Superior Chippewa Indians pursuant to Article III, § 1 of the Amended Constitution and Bylaws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians; and

WHEREAS, pursuant to Article V, Section 1 of the Amended Constitution and Bylaws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians, empowers the Tribal Governing Board to “engage in any business that will further the social or economic well-being of members of the Band or undertake any programs or projects designed for the economic advancement of the people;” and

WHEREAS, the Homeowner Assistance Fund (HAF) was established under section 3206 of the American Rescue Plan Act of 2021 to mitigate financial hardships associated with the coronavirus pandemic by providing funds to eligible entities for the purpose of preventing homeowner mortgage delinquencies, defaults, foreclosures, loss of utilities or home energy services, and displacements of homeowners experiencing financial hardship after January 21, 2020, through qualified expenses related to mortgages and housing; and

WHEREAS, the Tribe enacted LCOTCL PRP.9 by Resolution 2022-08; and

WHEREAS, the policies must be amended to include ARPA specific funding requirements and eligibility standards.

NOW THEREFORE BE IT RESOLVED, that the Tribal Governing Board hereby shall amend

RESOLUTION NO. 2024-102

the LCOTCL PRP.9 as follows:

ADD to PRP.9.2.010 “General Definitions” the following:

(o) “Obligation” means a contract or purchase action such as a new contract, modification, change order, interagency agreement, interdepartmental agreement, application for services or benefits, purchase order or any customary means that obligates the Tribe to pay a contractor or vendor; provided, that such contract or purchase action is approved by the Tribal Governing Board or otherwise authorized by an individual to whom the Tribe has expressly delegated the authority to make such an obligation.

ADD the following to the end of the Preamble as follows: “as established under section 3206 of the American Rescue Plan Act of 2021 (the ARPA) **and to the amended Title VI of the Social Security Act sections 602 and section 603 which established the State and Local Fiscal Recovery Funds (SLRF).**”

ADD the following to PRP.9.1.030 “Purpose” as follows: “received from the U.S. Treasury pursuant to Section 3206 of the American Rescue Plan Act of 2021, P.L.No. 117-2 (March 11, 2021) **and to the amended Title VI of the Social Security Act sections 602 and section 603 which established the State and Local Fiscal Recovery Funds.**”

AMEND the date of “September 30, 2026” to “December 31, 2026” in PRP.9.1.040 “Application.”

ADD to PRP.9.2.010 “General Definitions” the following:

(w) “State and Local Fiscal Recovery Funds” means the program that was established by sections 602 and section 603 of Title VI of the Social Security Act which provides support to State, local, territorial, and Tribal governments to mitigate the fiscal effects of the COVID-19 public health emergency.

ADD to PRP.9.3.030 “Responsibility of the ARPA Program Manager” as follows:

(d) to Ensure that all grant expenditures of the HAF Program are spent to maximize the available grant funds to the Program and in turn, to tribal members.

Remove the following phrase from PRP.9.6.010 “For Mortgage Assistance” as follows:

“Documentation requirements: Evidence of total balance due ~~current unredacted past due notice~~ from servicer.”

ADD PRP.9.7.040(b) as follows:

(b) The ARPA amended Title VI of the Social Security Act which added sections 602 and 603 that established the State and Local Fiscal Recovery Funds (SLRF).

ADD to PRP.9.8.010 “Use of Funds” as follows:

“...the Guidance for the Homeowner Assistance Fund issued by Treasury on April 14, 2021, as amended from time to time, **Title VI of the Social Security Act’s section 602 and 603, Compliance and Reporting Guidance for SLRF, 31 CFR Part 35 Interim Rule for SLRF**, and any other guidance issued by the Treasury regarding HAF **and SLRF**.”

ADD to PRP.9.8.030 "Program Limitations" the following:

(A) "...related to foreclosure prevention or displacement **unless allowable through SLRF funding.**"


(B) "...for qualified expenses, in an aggregate amount **unless allowable through SLRF funding.**"

ADD the following to the end of the last sentence in PRP.9.8.050(b) as follows:

"The Tribe reserves the right to collect any funds disbursed under this chapter for any project that has been rescinded under this section **and in compliance with the Tribe's Rules of Civil Procedure TCT.2.**"

CERTIFICATION

I, the undersigned, as Secretary/Treasurer of the Lac Courte Oreilles Tribal Governing Board, hereby certify that the Tribal Governing Board is composed of seven (7) members, of whom 6 being present, constituted a quorum at a meeting thereof, duly called, convened, and held on this **22nd day of October, 2024**, that the foregoing Resolution was duly adopted at said meeting by an affirmative vote of 5 members, 0 against, 0 abstaining, and that said Resolution is a lawful act of the Tribe.


William Trepanier, Secretary/Treasurer
Lac Courte Oreilles Tribal Governing Board