

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("MOU"), entered into between the Montana Department of Public Health and Human Services ("DPHHS") and the Blackfeet Tribe ("the Tribe") seeks to establish a mutual working relationship between DPHHS and the Tribe as it applies to the Low-Income Home Energy Assistance Program (LIHEAP), authorized by Title VI of Public law 98-558, as amended.

This MOU will begin on the 1st day of October, 2014 and will end nine (9) years from the beginning date or at such time as either party notifies the other in writing of its desire to terminate this Memorandum of Understanding, whichever occurs first.

IT IS MUTUALLY AGREED that, generally, the individual members of federally recognized Indian Tribes in Montana would be better served through a direct grant from the Federal government rather than as part of the State of Montana's LIHEAP program.

IT IS MUTUALLY AGREED that while this MOU is in effect, DPHHS will receive 82.5194% of the total LIHEAP funds allocated to the State of Montana and the Federal government will set aside 17.4806% of Montana's Federal LIHEAP funds for use by the Indian Tribes in Montana. However, if at any time during the term of this Memorandum of Understanding the ratio of eligible Indian households to the total number of eligible households reflected in the most recent American Community Survey (ACS) tabulations released by the U.S. Department of Health and Human Services (HHS) for Indian Tribes in Montana justifies a percentage higher than 17.4806%, that higher percentage of Montana's LIHEAP funds will be set aside for the Tribes and DPHHS' share of LIHEAP funds will be reduced accordingly.

IT IS MUTALLY AGREED that as of the beginning date of this MOU 4.2553% of the total LIHEAP funds available to Montana will be allocated to the Blackfeet Tribe and that the Tribe shall serve within the geographical boundaries of the Reservation and/or customary services area the following population: "*All eligible Indian households (defined as one in which the head or spouse is Native American).*" However, every three

years, after HHS releases its updated ACS tabulations, DPHHS will recalculate the percentage of Montana's total Tribal funds that will be allocated to each Tribe using the following methodology:

In computing each Tribe's share, DPHHS will give the most recent allocation percentage based on updated American Community Survey (ACS) tabulations a weight of one-third, and the allocation percentage from the immediately prior period a weight of two-thirds. Each Tribe's share of total funds set aside for Tribal households shall be based on its ratio of eligible Indian households to the total number of eligible Indian households on reservations statewide.

IT IS MUTUALLY AGREED that the Montana Department of Public Health and Human Services (DPHHS) will provide LIHEAP service to the remaining eligible persons living within Reservation boundaries.

IT IS MUTUALLY AGREED that every effort will be made by both parties to this Memorandum of Understanding to coordinate the services to eliminate duplication of services of payments and make appropriate referrals to ensure that all eligible persons be given an opportunity to participate in LIHEAP.

BLACKFEET TRIBE BY:



Harry R. Barnes, Chairman
Blackfeet Tribe

Date: 9/9/14

MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES BY:



Jamie Palagi, Administrator
DPHHS Human and Community Services Division

Date: 9.30.14



BLACKFEET NATION

P.O. BOX 850 BROWNING, MONTANA 59417

(406) 338-7521 FAX (406) 338-7530

EXECUTIVE COMMITTEE

Harry Barnes: Chairman
Biff "Scott" Kipp; Vice-Chairman
Tyson T. Running Wolf; Secretary
Tinsuwella Bird Rattler; Treasurer

BLACKFEET TRIBAL BUSINESS COUNCIL

Harry Barnes
Biff "Scott" Kipp
Tyson T. Running Wolf
Nelse St. Goddard
Forrestina Calf Boss Ribb
Cheryl Little Dog
William "Bill" Old Chief
Joseph "Joe" McKay
Earl Old Person

E X C E R P T

NUMBER E2014-265

MOA/LIHEAP: Tyson Running Wolf made a motion to direct the Chairman of the Blackfeet Tribal Business Council to sign the Memorandum of Agreement with the State of Montana for the LIHEAP Program. Second by Joe McKay. Motion carried unanimously. (7)

CERTIFICATION

I hereby certify that the foregoing Excerpt is a true copy taken from the Minutes of the Blackfeet Tribal Business Council during a duly called, noticed and convened Special Session held the 9th day of September, 2014, with seven (7) members present to constitute a quorum.

(CORPORATE SEAL)

Tyson T. Running Wolf, Secretary
Blackfeet Tribal Business Council