

RESOLUTION OF THE GOVERNING BODY OF
THE THREE AFFILIATED TRIBES OF THE
FORT BERTHOLD RESERVATION

- WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and
- WHEREAS, The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and
- WHEREAS, The Tribal Business Council of the Three Affiliated Tribes has consistently advocated the creation of new projects for the purpose of decreasing the high unemployment rate on the Fort Berthold Reservation; and
- WHEREAS, The Tribal Business Council of the Three Affiliated Tribes in 1990 created a one hundred percent (100%) wholly-owned tribal chartered corporation called "Mandaree Enterprise Corporation"(MEC), for the purpose of creating employment and opportunities for the Three Affiliated Tribes; and
- WHEREAS, Mandaree Enterprise has established three locations of business and have developed some strong working relationships with both commercial and government contractors, and has positioned itself to take advantage of opportunities in the federal marketplace; and
- WHEREAS, Mandaree Enterprise Corporation recently negotiated a new contract with Northrop Grumman Corporation which will support procurement activities on the C-17 program; and
- WHEREAS, Now, Mandaree Enterprise has a requirement to establish a revolving line-of-credit to cashflow its current operation and its newest contract with Northrop Grumman Corporation; and
- WHEREAS, The Tribal Business Council of the Three Affiliated Tribes recognize that Mandaree Enterprise Corporation has a company to manage and operate, and further recognize that in order to establish a loan or line-of-credit that it is a standard practice that financial institutions require a waiver of sovereign immunity; and

WHEREAS, It is in the best interest of the Tribal Business Council of the Three Affiliated Tribes to assist and nurture the endeavors of Mandaree Enterprise Corporation in pursuing new opportunities and diversifying its present operation, while utilizing sound business practices;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby provides a limited waiver of the sovereign immunity of Mandaree Enterprise Corporation, **provided that**, such waiver shall be limited to the scope and extent of the assets of Mandaree Enterprise Corporation exclusively; **provided further**, that such waiver of sovereign immunity shall, in no manner nor to any extent, apply to the Three Affiliated Tribes per se or any assets of the Tribes.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular meeting thereof duly called, noticed, convened, and held on the 7th day of March, 2000; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 not voting, and that said Resolution has not been rescinded or amended in any way.

Date this 7th day of March, 2000.

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:

for Marsha Fox
Chairman, Tribal Business Council