

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

WHEREAS, This Sovereign having accepted the Indian Reorganization Act of June 18, 1934 thereby exercising explicit authority thereof as manifest in Section Three of Article six of the Constitution of the Three Affiliated Tribes of the Fort Berthold Reservation; and

WHEREAS, The Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in governmental activities on behalf of and in the interest of the benefit and welfare of the Tribes thereof; and

WHEREAS, Article VI, Section 3 of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to exercise all necessary sovereign authority - legislative and judicial granted in Article I of the Constitution; and

WHEREAS, The Three Affiliated Tribes contracted the Fort Berthold Office of Indian Education since 1989 and has been receiving 83% of the funding earmarked on the base funding of \$100,200 and later reduction to the current \$87,200; and

WHEREAS, That the Office of Indian Education Office located in the Turtle Mountain BIA Agency is the contact office and has an education line officer responsible for the 29 per cent non-contractible portion for the Three Affiliated Tribes and who has not issued FY 2000 (71%) funding to the Three Affiliated Tribes, nor provided any communication as to this adverse action; and

WHEREAS, The BIA has appropriated \$21,565 (9-31-00) for FY 2000 and has verbally indicated that FY 2001 funds will not be provided without first meeting the Three Affiliated Tribes due to "legal concerns"; and

WHEREAS, The Three Affiliated Tribes desires to provide monetary support for an expanding Tribal Education Department to better implement the expanding governance role of the tribe in education for data management, Mandan, Hidatsa and Arikara language and curriculum needs and increased technical support to all education providers on the Fort Berthold Reservation and has previously authorized a Management Information System office for the Education Department.

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes:

1. Monetary support for the FY 2000 Agency Education budget which funds the Tribal Education Department for the remaining budget balance of \$65,635 to be reimbursed upon obtaining additional OIEP/BIA Element 10 funds
2. Funding for the FY 2001 request in the amount of \$282,200 for Tribal Education Department staff (Administrator, Executive Secretary, Curriculum Specialist, Management Information Specialist) and operational costs for FY 2001 from the JTAC Education Funding, with a portion to be reimbursed to the tribe upon obtaining FY 2001 OIEP/BIA Element 10 funds.

C E R T I F I C A T I O N

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 seven (7) members of whom 5 constitutes a quorum, 6 were present at a Special Meeting thereof duly called, noticed, convened and held on the 26th of October, 2000; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 6 members 0 members opposed, 0 members abstained, 0 members not voting, and that said resolution has not been rescinded or amended in any way.

Dated this 26th day of October, 2000.

Daylon Spotted Bear
Secretary, Tribal Business Council

Attest:

Tyler Hall