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

A Resolution entitled, "Delegation of Oversight Authority Over the Gerald "Tex" Fox Justice Center to the Judicial Committee of the Three Affiliated Tribes Tribal Business Council."

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted and Constitution and By-laws pursuant to said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribe; and

WHEREAS, The Constitution of the Three Affiliated Tribes 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 Three Affiliated Tribes Tribal Business Council has entered into a PL 93-638 Contract with the Bureau of Indian Affairs, Great Plains Region, Law Enforcement Services, Contract # CTAO4T30166, to provide for adult and juvenile detention services on the Fort Berthold Indian Reservation; and

WHEREAS, the Tribe has built and will operate the Gerald "Tex" Fox Justice Center pursuant to said PL 93-638 contract; and

WHEREAS, the Tribal Business Council of the Three Affiliated Tribes has determined that operational oversight of the Justice Center should be delegated to the Three Affiliated Tribes' Judicial Committee of the Tribal Business Council as set out in this Resolution.

NOW THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes Tribal Business Council hereby delegates the following operational oversight authority over the Gerald "Tex" Fox Justice Center to the Judicial Committee of the Three Affiliated Tribes Tribal Business Council:

1. Review and approval of the Justice Center policies and procedures. The Judicial Committee shall ensure all operational and personnel policies and procedures proposed by the Justice Center are in compliance with all provisions of the Tribes' PL 93-638 Contract, all policies established by the



*Amended by
Legal Dept.*

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MP/MWSR

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WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribe; and

WHEREAS, The Constitution of the Three Affiliated Tribes 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 Three Affiliated Tribes Tribal Business Council has entered into a PL 93-638 Contract with the Bureau of Indian Affairs, Great Plains Region, Law Enforcement Services, Contract # CTA04T30166, to provide for adult and juvenile detention services on the Fort Berthold Indian Reservation; and

WHEREAS, the Tribe has built and will operate the Gerald "Tex" Fox Justice Center pursuant to said PL 93-638 contract; and

(6) WHEREAS, the Tribal Business Council of the Three Affiliated Tribes has determined that operational oversight of the Justice Center should be delegated to the Three Affiliated Tribes' Judicial Committee of the Tribal Business Council as set out in this Resolution. *Not assuming liability for anything that happens. Continued to be under TOST Claims ACT*

(7) NOW THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes Tribal Business Council hereby delegates the following operational oversight authority over the Gerald "Tex" Fox Justice Center to the Judicial Committee of the Three Affiliated Tribes Tribal Business Council: *for general review TBC*

1. Review and approval of the Justice Center policies and procedures. The Judicial Committee shall ensure all operational and personnel policies and procedures proposed by the Justice Center are in compliance with all provisions of the Tribes' PL 93-638 Contract, all policies established by the



Bureau of Indian Affairs Office of (Law Enforcement Services) and address the needs of the members of the Mandan, Hidatsa and Arikara Nation.

2. Receive complaints and concerns regarding the operation of the Justice Center from the public and inform the Justice Center Administration of such complaints and where appropriate, direct corrective action in response to those matters.
4. Require Justice Center Administration to investigate allegations of personal and professional misconduct made against Justice Center staff. The Judicial Committee shall ensure that the Bureau of Indian Affairs Office of Law Enforcement Services Internal Affairs Investigation Unit is notified of serious allegations made against Justice Center staff.
5. Review all reports submitted by the Justice Center to fulfill the reporting requirements of the Tribes' PL 93-638 Contract, *of Appropriate Staff* *John* *except 7 marital Report*
6. Require the Facility Administrators to attend meetings of the Judicial Committee and to report significant events to the Committee.
7. Review offender programs offered at the Justice Center, to include content, potential to enhance rehabilitation and cost effectiveness.
8. Report to the Tribal Business Council on the matters pertaining to or affecting the Justice Center.

BE IT FURTHER RESOLVED, that nothing contained herein shall be construed as a delegation of financial oversight of the Justice Center to the Judicial Committee and all financial oversight and assistance to the Justice Center shall remain solely with the Tribal Federal Programs Manager and the Tribes' Chief Executive Officer.

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, ___ were present at a Regular Meeting thereof duly called, noticed, convened, and held on the ___ day of _____, 2004; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of ___ members, ___ members opposed, ___ members abstained, ___ members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [] voting. [] not voting.



Dated this ___ day of _____, 2004.

ATTEST:

Secretary, Randy Phelan
Tribal Business Council

Chairman, Tex G. Hall
Tribal Business Council