



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

A Resolution entitled, "*Three Affiliated Tribes Request to Enter in to P.L.93-638 ISDEAA Contract with the Indian Health Service for the Purpose of Contracting Health Education, Mental Health and the Model Diabetes Programs*"

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a 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 Tribes; 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, Article VI, Section 5 (d) of the Constitution provides that the Tribal Business Council has the power to negotiate with the federal government on behalf of the Tribes; and

WHEREAS, The Indian Self-Determination and Education Assistance Act (ISDEAA), 25 U.S.C. § 450 (f), provides that Indian Tribes may request by tribal resolution to enter into self-determination contracts with the Secretary of Health and Human Services to administer programs or portions thereof provided by the Secretary of Health and Human Services under the Act of August 5, 1954, as amended, 42 U.S.C. § 2001, et seq.; and

WHEREAS, The Aberdeen Area Indian Health Service, through the Fort Berthold Service Unit, currently provides Health Education, Mental Health and Diabetes programs, functions, services, or activities (PFSAs); and

WHEREAS, The Tribal Business Council is aware of the need for tribal members to have better access and coordination of those services with programs and services provided through the Tribal Health Program and has determined that it would be in the best interest of the Tribes and its members to enter into PL 93-638 Self-Determination Contract with the Indian Health Services to administer the Indian Health Service's Health Education, Mental Health and Diabetes health services;



NOW THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes Tribal Business Council pursuant to the authority granted by the Constitution and By-laws of the Tribes and the Indian Self-Determination and Education Assistance Act, hereby requests that the Secretary of Health and Human Services, acting through its duly authorized representative, enter into a self determination contract with the Three Affiliated Tribes pursuant to 25 U.S.C. § 450 (f) for the purposes of administering and providing Health Education, Mental Health and Diabetes health services; and

BE IT FURTHER RESOLVED, that the Tribes' request to contract the operation and administration of Health Education, Mental Health and Diabetes health services, shall be in accordance with a PL 93-638 Contract Proposal submitted pursuant to 25 CFR Part 900, Sub-part C; and

BE IT FURTHER RESOLVED, that the said Contract Proposal shall include the Tribe's right to bill and receive for all third party resources, including but not limited to Medicaid, Medicare and private insurance, for all appropriate services provided through the named services; and

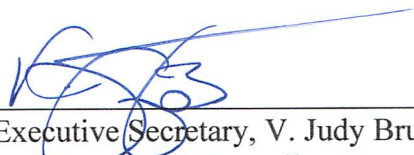
BE IT FINALLY RESOLVED, that the Tribal Business Council hereby authorizes Tribal Chairman Marcus Wells, Jr. and Tribal Secretary Nathan Hale to sign and execute all contracts, documents, proposals, assurances and other documents necessary to contract the services authorized to be contracted by this Resolution.

CERTIFICATION

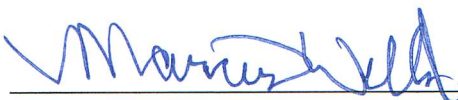
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 13th day of September, 2007, 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.

Chairman ☒ Voting. ☐ Not Voting.

Dated this 13th day of September, 2007.


Executive Secretary, V. Judy Brugh
Tribal Business Council

ATTEST:


Chairman, Marcus D. Wells
Tribal Business Council