



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

A Resolution Entitled: *Three Affiliated Tribes Tribal Business Council Petition to the Secretary of Interior or His Authorized Representative Pursuant to Article X Amendments of the Three Affiliated Tribes Constitution and By-laws and 25 CFR Part 81.5 (a) To Call a Secretarial Election on a Proposed Amendment to Article II Section 1 and a Proposed Amendment to Article III-Governing Body, Section 2 and 5 and Article III, Sections 2 and 3 of the By-laws of the Constitution of The Three Affiliated Tribes as Set out in Resolutions 07-99 VJB and 07-209 VJ*”

**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 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

**WHEREAS**, Article X- Amendments of the Constitution provides that the Constitution and By-laws may be amended by a majority vote of the qualified voters of the Tribes voting at an election called for that purpose by the Secretary of Interior, provided that at least thirty (30) percent of those entitled to vote shall vote in such election, and,

**WHEREAS**, Article X, further provides that it shall be the duty of the Secretary of the Interior to call an election on any proposed amendments to the Constitution when requested by a two-thirds (2/3) Vote of the Tribal Business Council; and





**WHEREAS**, 25 CFR PART 81 outlines the Federal Requirements and regulations for petitioning the Secretary of the Interior to call secretarial elections to amend Tribal IIRA constitutions, when requested to do so by an Indian Tribe; and,

**WHEREAS**, On May 16<sup>th</sup>, 2007 The Tribal Business Council adopted Resolution 07-99 VJB petitioning the Secretary of Interior to call a Secretarial on a proposed amendment to Article III, Sections 2 and 5 of the Constitution and Article III, Sections 2 and 3 of the Bylaws which was duly submitted to the Bureau of Indian Affairs and acknowledged by the Great Plains Regional Director on October 19<sup>th</sup>, 2007; and

**WHEREAS**, The Tribal Business also adopted Resolution 07-190VJB which also petitioned the Secretary of Interior to call a Secretarial Election on a proposed amendment to Article II, Section 1 of the Constitution which was forwarded to the Bureau of Indian Affairs on October 16<sup>th</sup>, 2007; and

**WHEREAS**, On November 6<sup>th</sup> 2007, the Tribal Business Council adopted Resolution 07-209 VJB whereby the Council adopted an alternative amendment to Article II Section 1 and requested a secretarial election on the new proposed amendment to Article II Section 1 as set out in said Resolution; and

**WHEREAS**, Resolution 07-209 VJB formally rescinded Resolution 07-190 VJB; and

**WHEREAS**, Because Resolutions 07-99VJB and 07-209 VJB were adopted by the Tribal Business Council on different dates and submitted to the Bureau of Indian Affairs at different times both resolutions together technically call for two separate secretarial elections, and The Bureau of Indian Affairs is requesting that the Tribal Business Council clarify its intent by Resolution that only one secretarial election be held and conducted on the two proposed amendments; and

**WHEREAS**, It is the intent of the Tribal Business Council that only one secretarial election be called held and conducted by the Secretary of Interior on the two separate amendments to the Three Affiliated Tribes Tribal Constitution proposed by Resolutions 07-99-VJB and 07-209-VJB.

**NOW, THEREFORE BE IT RESOLVED** that the Tribal Business Council of the Three Affiliated Tribes pursuant to Article X of the Constitution and 25 CFR Part 81 hereby petitions the Secretary of Interior or his authorized representative to call a single secretarial election on the proposed amendments to the Constitution of the Three Affiliated Tribes set out in Resolutions 07-99 VJB and 07-209 VJB; and





**BE IT FURTHER RESOLVED** that the proposed amendment set out in Resolution 07-99VJB if approved in accordance with Article X shall go into effect for the 2010 Tribal Business Council General Election; and

**BE IT FINALLY RESOLVED**, that the proposed amendment set out in Resolution 07-209-VJB if approved in accordance with Article X shall go into effect immediately upon its approval by the Secretary of Interior or his authorized representative; and


**CERTIFICATION**

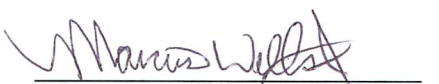
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 6<sup>th</sup> day of November 2007; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 1 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 6<sup>th</sup> day of November 2007.

**ATTEST:**

  
Tribal Secretary, V. Judy Brugh  
Tribal Business Council  
Three Affiliated Tribes

  
Tribal Chairman, Marcus Wells Jr.  
Tribal Business Council  
Three Affiliated Tribes