



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

A Resolution Entitled: *“RESOLUTION REQUESTING ASSISTANCE OF THE DEPARTMENT OF THE INTERIOR, BUREAU OF INDIAN AFFAIRS AND ASSISTANT SECRETARY CARL ARTMAN TO STREAMLINE AND EXPEDITE THE PROCESSING OF OIL AND GAS LEASES AND DRILLING PERMITS ON THE FORT BERTHOLD RESERVATION”*

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, The Constitution and By-laws of the Three Affiliated Tribes was adopted by membership of the Tribes on May 15th, 1936 pursuant to the Indian Reorganization Act of 1934 and duly approved by the Secretary of Interior; 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 of the Constitution of the Three Affiliated Tribes provides the Tribal Business Council the authority to protect and preserve the property, wildlife and natural resources of the Tribes; to regulate hunting and fishing on all lands within the jurisdiction of the Tribes; and to cultivate and preserve native arts, crafts, culture, ceremonies and traditions; and

WHEREAS, the Three Affiliated Tribes and the allottees of the Fort Berthold Reservation have entered into oil and gas leases through individual negotiation and bid sale on their respective mineral interests on the Fort Berthold Reservation; and

WHEREAS, the BIA – Fort Berthold Agency has effectively halted the expansive development of oil and gas resources on the Fort Berthold Reservation and inflicted irreparable economic and social harm on the allottees through delay in individual bonus payments, proposed exploration and potential royalty payments on allotted mineral interests; and



WHEREAS, the Tribal interests are suffering irreparable harm as the delay in the permitting process has stalled the collective exploration of the entire reservation whereby reducing tribal tax revenue that funds vital infrastructure and governmental services on a reservation that already is facing shortfalls and diminished services due to the decreased federal funding; and

WHEREAS, the oil and gas industry partners have also faced significant harm through unnecessary delays in the lease and permit approval process that has led to a enormous degree of legal uncertainty of their "signed" leases by allowing other unscrupulous companies to unduly pressure, misinform and unfairly negotiate "backdoor" deals on leases that have already been signed by the allottees or been secured by highest bid on noticed bid sales conducted by the BIA itself; and

WHEREAS, the unwarranted delay inflicted by the Fort Berthold Agency and its staff in the lease approval process has also placed the BIA in a position where significant amounts of deposit monies have been placed in non-interest bearing "special accounts" as required under the bid sale regulations but are in fact systematically depriving allottees significant interest income had those funds been dispersed in a timely manner or been immediately placed in interest bearing Individual Indian Monies accounts; and

WHEREAS, despite the continual calls for assistance to the BIA, Assistant Secretary Carl Artman and our Congressional Delegation, the Fort Berthold Agency and Great Plains Regional staff and management continue to fail to meet the most basic standards for timely mineral lease review, approval and invoicing that is necessary to ensure the interests of all concerned parties are protected to fullest extent required under the federal trust responsibility.

NOW, THEREFORE BE IT RESOLVED, that the Three Affiliated Tribal Business Council through this resolution and attached letter call upon the Department of the Interior, Bureau of Indian Affairs, Assistant Secretary Carl Artman to make every administrative and procedural effort to streamline and expedite the processing of oil and gas leases and permits on the Fort Berthold Reservation; and

BE IT ALSO RESOLVED, the Department of the Interior and Bureau of Indian Affairs must provide sufficient resources and staff to adequately address the issues contained within oil and gas development on the Fort Berthold Reservation including financial assistance, capable managerial oversight and the immediate detailing of fully trained and experienced BIA personnel to the Fort Berthold Agency to complete the necessary tasks to expedite and conclude the lease and permitting processes on the Fort Berthold reservation in a timely and efficient manner.



CERTIFICATION

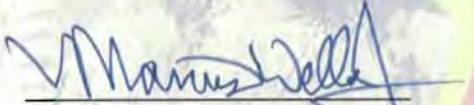
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 14th day of February 2008; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 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 [**X**] voting. [] not voting.

Dated this 14th day of February 2008.

ATTEST:


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


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

