



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

A Resolution Entitled: *“Directive to the Office of Trust Fund Management to Make Available Funds for Withdrawal from Three Affiliated Tribes Proceeds of Labor Account PL228700 in the Amount of \$\$1,252,000.00.”*

**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 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 VI, Section 5(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes of the Tribes; and



**WHEREAS,** Pursuant to 25 CFR 115.815, an Indian tribe desiring to request amounts from a tribal trust account may make a written request to the BIA or the OTFM that is signed by the proper authorizing official(s), lists the amount of trust funds to be withdrawn, provides any additional documentation or information required by law to withdraw certain trust funds, and includes a tribal resolution approving the withdrawal of the specified amount of trust funds; and

**WHEREAS,** Each Fiscal Year the Tribal Business Council adopts an Annual General Fund Operating Budget which includes earnings and income from the Tribes Proceeds of Labor Fund Account #PL7228700 which is held by the Office of Trust Fund Management within the Department of Interior; and

**WHEREAS,** The Tribal Business Council has reviewed the status of the FY-2008 Proceeds of Labor Fund Account # PL7228700 income earnings per the 03-06-07 Cash and Account Summary Report provided by the Office of Special Trustee and there are funds available in said account in the amount of \$1,252,000.00 from the Tribes Oil and Gas leases; and

**WHEREAS,** the Tribal Business Council has authority according to the terms of the said Constitution to direct the Office of Special Trustee to disburse the proceeds derived from Oil and Gas Leases on the Fort Berthold Reservation to the Tribe and funds are available in the Proceeds of Labor Account PL7228700 to be withdrawn in the amount of \$1,252,000.00 and the Tribal Council desires to withdraw these funds; and.

**NOW, THEREFORE BE IT RESOLVED,** the Tribal Business Council of the Three Affiliated Tribes pursuant to its constitutional authority and pursuant to 25 CFR 115.815 hereby requests and directs the OTFM and the Office of Special Trustee to relinquish the amount of \$1,252,000.00 from the Three Affiliated Tribes Proceeds of Labor Account PL7228700 to the Three Affiliated Tribes.

**BE IT FURTHER RESOLVED,** the Tribal Finance Department, within the Three Affiliated Tribes will submit a Standard Form 1034 to the Office of Special Trustee with the attachment of a Fiscal Year 2008 Budget.

**BE IT FINALLY RESOLVED THAT,** the Office of Special Trustee will be given specific instruction to where the funds from Proceeds of Labor Account PL7228700 shall be transferred to on the Standard Form 1034.



**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, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 12<sup>th</sup> day of June 2008; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 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 12<sup>th</sup> day of June 2008.

**ATTEST:**

  
Acting Tribal Secretary, Mervin Packineau  
Tribal Business Council  
Three Affiliated Tribes

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