



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

A Resolution Entitled: Request to renegotiate Successor Annual Funding Agreements for Law Enforcement Programs with the Bureau of Indian Affairs Office of Justice Services for FY-2009"

- 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 (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 Interior to administer programs or portions thereof, which the Secretary is authorized to administer for the benefit of Indians under the Act of November 2, 1921 (25 U.S.C § 13) and any Act subsequent thereto or the Act of April 16, 1934 (25 U.S.C. § 452) or for the benefit of Indians because of the their status as Indians without regard to the agency of the Department of Interior within which the service is performed; and
- WHEREAS,** The Tribe has entered into Self-Determination Contracts with the BIA Office of Justice Services for the purposes of administering all programs, functions, services and activities provided by the Office of Justice Services under the BIA



law enforcement programs including uniformed police, dispatch services, criminal investigations and adult and juvenile detention programs; and

WHEREAS, said contracts provide for three year terms, however each contract is funded on an annual basis by a one year Annual Funding Agreement (AFA) and each fiscal year the Tribe and the BIA are required to negotiate successor Annual Funding Agreements for each law enforcement contract and it is necessary for the Tribe and the BIA to negotiate Annual Funding Agreements for each law enforcement contract.

NOW, THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby requests that the Bureau of Indian Affairs Office of Justice Services negotiate Annual Funding Agreements for FY2009 for all law enforcement programs contracted pursuant to the Indian Self Determination and Education Assistance Act based on the budgets submitted by the Tribe

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, 6 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 23rd day of October 2008; 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 20th day of October 2008.

ATTEST:

Barry L Benson
Acting Tribal Secretary, Barry L Benson
Tribal Business Council
Three Affiliated Tribes

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