



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

A Resolution entitled; "To Contract, under P.L. 93-638 provisions, those program functions, services and activities directly related to and designated for the Gerald Tex Fox Justice Center; Mandaree Roads Shop; Twin Buttes Road Shop, funding which is available Pursuant to the American Recovery and Reinvestment Act of 2009 in the amount of \$146,587.00"

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, The Constitution of the Three Affiliated Tribes generally 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 III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, Public Law 93-638, titled the Indian Self-Determination and Education Assistance Act, provides for contracting mechanisms whereby the Tribes may elect to assume governmental programs, functions, services or activities which are otherwise performed by the Federal Government; and

WHEREAS, the Tribal Business Council recognizes the need to promote programs, functions, services and activities for which the Federal Government is specifically and ultimately responsible and which would contribute to the general welfare and well being of the Three Affiliated Tribes and its members; and

WHEREAS, the Tribal Business Council is aware of funding made available under the American Recovery and Reinvestment Act of 2009 in the amount of \$146,587.00 designated for the Gerald Tex Fox Justice Center; the Mandaree Roads Shop; and the Twin Buttes Roads Shop, all of which are located on the Fort Berthold Reservation of North Dakota; and

WHEREAS, the Three Affiliated Tribes seeks to perform, under provisions of P.L. 93-638, as amended, those program functions, services and activities directly related to provision of labor, supplies and materials designated for the Gerald Tex Fox Justice Center; the Mandaree Roads Shop and the Twin Buttes Roads Shop; and



WHEREAS, the Tribal Business Council acknowledges that no pre-award or start-up cost funding is available for P.L. 93-638 contracting of projects funded through the American Recovery and Reinvestment Act, nor is there funding for indirect contract support cost available.

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation hereby elects to contract, under provisions of P.L. 93-638, as amended, those program functions, services, and activities directly related to provision of labor, supplies and materials for the Gerald Tex Fox Justice Center; the Mandaree Roads Shop and the Twin Buttes Roads Shop, funding which is available pursuant to the American Recovery and Reinvestment Act of 2009.

BE IT FURTHER RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes elects to exercise the provisions of P.L. 93-638 and to accept the contract for the program activities directly related to and designated for the Gerald Tex Fox; the Mandaree Roads Shop; and the Twin Buttes Roads Shop in the amount of \$146,587.00 and to accept said contract to the exclusion of pre-award or start-up costs and to the exclusion of indirect cost funding to which the Tribe may otherwise be entitled under provisions of P.L. 93-638, as amended.

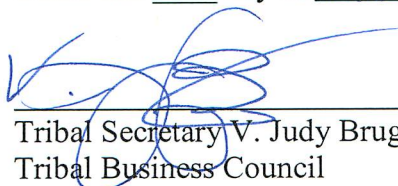
BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes elects to accept its P.L. 93-638 Contract with applicable stipulations of the American Recovery and Reinvestment Act of 2009.

CERTIFICATION

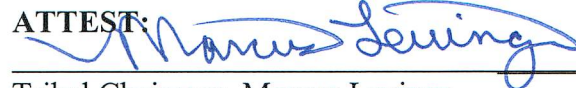
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 12th day of November, 2009, 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 12th day of November, 2009.



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

ATTEST: 

Tribal Chairman, Marcus Levings
Tribal Business Council
Three Affiliated Tribes