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 To Call a Secretarial Election on a Proposed Amendment to Article IV Section 6 of the Tribal Constitution*

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 IRA constitutions, when requested to do so by an Indian Tribe; and,

WHEREAS, on October 16th, 2008 the Tribal Business Council adopted Resolution 08-209 VJB whereby the Tribal Business Council requested a secretarial election for the purpose of voting on a proposed amendment to Article II of the Tribal Constitution; and

WHEREAS, The Bureau of Indian Affairs Fort Berthold Agency has called a Secretarial Election on the proposed amendment to Article II of the Constitution; and

WHEREAS, Article IV § 6 of the Tribal Constitution sets forth the criteria to be eligible as a candidate for office in a tribal election for the Tribal Business Council and only requires that an individual be a qualified voter of the Three Affiliated Tribes and be a bona fide resident of the Reservation; and

WHEREAS, The Tribal Business Council believes that Article IV §6 of the Constitution should be amended to provide for a minimum blood degree requirement of at least ¼ Mandan Hidatsa and/or Arikara Tribes to be eligible to be a candidate for office in a tribal election and intends to petition the Secretary of the Interior to approve a secretarial election to vote on this proposed amendment to Article IV § 6; and

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 secretarial election on a proposed amendment to Article IV Section 6 of the Constitution of the Three Affiliated Tribes by adding the following highlighted language to said Section:

SEC. 6. In the first election after the adoption of this amendment, any qualified voter of the Three Affiliated tribes of the Fort Berthold Reservation who is a bona fide resident of the of one of the segments described herein *and who has a blood quantum of at least ¼ Mandan, Hidatsa and/or Arikara Tribes,* may become a candidate to represent said segment on the Tribal Business Council by filing a notice of his candidacy with the Secretary of the Tribal Business Council at least fifteen (15) days before the election in which he is to be a candidate. In all succeeding elections, a qualified voter to be eligible to become a candidate must have resided in the segment he proposes to represent for a period of at least six (6) months next preceding the date of the election *and have   blood quantum of at least ¼Mandan, Hidatsa and/or Arikara Tribes.*   At least ten (10) days before the election, the Secretary of the Tribal Business Council shall post the names of all candidates in each voting community. In the event

2

that any community has no qualified candidate, as provided herein, such community may nominate one or more candidates by petition, signed by at least ten (10) qualified voters of such community. Any qualified voter of the Three Affiliated Tribes of the Fort Berthold Reservation who is a bona fide resident of one of the segments described herein *and who has a blood quantum of at least ¼ Mandan, Hidatsa and Arikara Tribes* may become a candidate for the office of Tribal Chairman by filing a notice of candidacy with the Secretary of the Tribal Business Council at least fifteen (15) days before the election in which he is to be a candidate.

BE IT FURTHER RESOLVED that the amendment hereby proposed be voted upon during the secretarial election called pursuant to Resolution 08-209 VJB; and

BE IT FINALLY RESOLVED, that the proposed amendment set out in this Resolution if approved in accordance with Article X shall go into effect immediately upon its approval by the Secretary of Interior or his authorized representative.

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 _11_ day of _February_ 2010; 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 [X] voting. [ ] not voting.

Dated this _11_ day of _February_ 2010.

ATTEST:

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

Tribal Chairman, Marcus Levings
Tribal Business Council
Three Affiliated Tribes

3