



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

A Resolution Entitled: “: Approval of Funding for Fort Berthold Indian Reservation Farmers and Ranchers to Receive Assistance in their Discrimination Claim against USDA”

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, Article VI, Section 5 (c) of said Constitution specifically provides that the Tribal Business Council has the power to administer any funds or property within the exclusive control of the Tribes to make expenditures from available tribal funds for public purposes of the Tribes; and

WHEREAS, The Tribal Business Council previously enacted Resolution #05-20NH whereby the Tribal Business Council authorized up to \$50,000 to be paid to consultants as a Claimants Representative in *Keepseeagle v. Johanns* to pursue 28 claims for settlement or other resolution in the case; and



WHEREAS, the USDA Office of Civil Rights has just sent a team to investigate the claims of the 28 families and has interviewed and obtained affidavits from those families in support of their discrimination claims against USDA; and,

WHEREAS, The Tribal Business Council understands how these 28 family's discrimination claims are resolved will have a direct impact on the ability of the remaining 187 families to receive a fair and equitable settlement of their discrimination claims; and,

WHEREAS, The Tribal Business Council recognizes that it is critical at this time that sufficient funds are available for Spotted Tail & Associates to continue the process of resolving the claims of the 28 families with the USDA settlement team based in Washington, DC including monies for additional costs (personnel, travel, hotel, legal counsel, copying, materials, telephone and postage); and,

WHEREAS, The Tribal Business Council had passed a resolution asking for a donation from the Shakopee Tribe for \$1,000,000.00 of which \$250,000 was to be put into special projects for the rights protection program for the 28 families who have opted out of the *Keepseagle* USDA discrimination lawsuit; and,

WHEREAS, the Tribal Business Council is aware that its donation request has not yet been approved by the Shakopee Tribe and that the completed meeting between the USDA OCR investigative team requires immediate and direct follow-up by Spotted Tail & Associates in order to protect the rights of the 28 claimants and to allow them to receive a fair settlement; and,

NOW THEREFORE BE IT RESOVLED that the Three Affiliated Tribes Tribal Business Council authorizes payment to Spotted Tail & Associates in the sum of \$50,000.00 to use towards the resolution of the claims of those 28 farmers and ranchers now involved with the USDA settlement team based in Washington, DC, provided that this authorization shall be subject to the availability of tribal funds; and

BE IT FINALLY RESOVLED, the Three Affiliated Tribes instructs the Treasurer of the Tribal Business Council to offset any grants received from the Shakopee Tribe for the USDA claimants by the amount of \$50,000.00.




CERTIFICATION

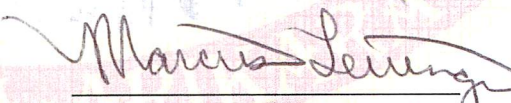
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 5 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 20th day of April 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 [] voting. [] not voting.

Dated this 20th day of April 2010.

ATTEST:


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


Tribal Chairman, Marcus Levings
Tribal Business Council
Three Affiliated Tribes