



AMENDED

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

A Resolution Entitled: Request the Secretary of the Interior to Adopt Special Rules and Procedures for Upcoming Secretarial Election”

- 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 (1) 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,** The Constitution and By-laws of the Three Affiliated Tribes was adopted by the membership of the Tribes on May 15th, 1936 pursuant to the Indian Reorganization Act of 1934 and duly approved by the Secretary of Interior; 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 Interior to call an election on any proposed amendment to the Constitution when requested by a two-thirds (2/3) vote of the Tribal Business Council; and
- WHEREAS,** 25 CFR § 81 governs Secretarial Elections for the purpose of amending tribal Constitutions and;



WHEREAS, 25 CFR § 81.6 provides that for a Indian Tribe to amend its Constitution only members who have duly registered to vote shall be entitled to vote; and

WHEREAS, on December 4th, 2008 the Tribal Business Council adopted Resolution 08-193 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, on February 11th, 2010 the Tribal Business Council adopted Resolution 10-23-VJB whereby the Tribal Business Council requested a secretarial Election for purposes of voting on a proposed amendment to Article IV Section 6 of the Tribal Constitution; and

WHEREAS, The Bureau of Indian Affairs has called a secretarial Election on the proposed amendments to Articles II and Article IV of the Tribal Constitution; and

WHEREAS, The Tribal Business Council would like the Bureau of Indian Affairs to adopt special procedures and/or rules governing the conduct of said Secretarial Election and the Bureau of Indian Affairs has advised the Tribal Council that it will if the Tribal Council adopts a resolution requesting the same.

NOW, THEREFORE BE IT RESOLVED, The Three Affiliated Tribes Tribal Business Council hereby requests that the Bureau of Indian Affairs Fort Berthold Agency adopt and adhere to the following rules in conducting the Secretarial Election that will be held pursuant to Tribal Resolutions 08- 193 VJB and 10 -023-VJB:

1. Voting shall be conducted by polling places on the Reservation rather than by mail in ballot;
2. Only those individuals 18 years of age or older who are enrolled in the Three Affiliated Tribes as of May 20th shall be authorized to register and vote in said secretarial election.




CERTIFICATION

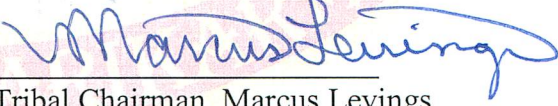
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 21st day of May 2010; 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 21st day of May 2010.


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

ATTEST:


Tribal Chairman, Marcus Levings
Tribal Business Council
Three Affiliated Tribes