



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

***A Resolution Entitled: “P.L. 93-638 Re-contracting of Bureau of Indian Affairs Program Functions, Services and Activities related directly and indirectly to Transportation Planning Under Mature-Status Contractual Agreement Specific to Transportation Planning”***

**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,** 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

**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;

**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 Tribal Business Council chose to exercise the provisions of P.L. 93-638, as amended, with respect to the program functions, services and activities related directly and indirectly to Transportation Planning and performed those functions under the Road Maintenance Contract, numbered CTA04T30170; and





**WHEREAS,** The Tribal Business Council prefers that its exercise of the provisions of the Indian Self-Determination and Education Assistance Act, in continuing to perform those program functions, services and activities related directly and indirectly to Transportation Planning, be in the form of a mature-status contractual agreement specific to Transportation Planning.

**NOW THEREFORE BE IT RESOLVED** That the Tribal Business Council of the Three Affiliated Tribes hereby elects to continue to perform those program functions, services and activities related directly and indirectly to Transportation Planning, in accordance with P.L. 93-638, as amended, under a mature-status contractual agreement specific to Transportation Planning with provision that the term of the contract extend for an indefinite period; and

**FURTHER BE IT RESOLVED,** that the Tribal Business of the Three Affiliated Tribes of the Fort Berthold Reservation hereby authorizes Chairman Tex G. Hall to negotiate and execute any and all documents necessary to expedite the process.

**FINALLY, BE IT RESOLVED,** That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation approves the effective date of the Contract as being October 1 of the authorized year.



**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 12<sup>th</sup> day of **January**, 2012 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 Vote: (X)Yes ( )No

Dated this 12<sup>th</sup> day of **January**, 2012.

**ATTEST:**

Secretary V. Judy Brugh  
Tribal Business Council  
Three Affiliated Tribes

Chairman, Tex G. Hall  
Tribal Business Council  
Three Affiliated Tribes