



**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 the Interior or his Authorized Representative Pursuant to Article X – Amendments of the Three Affiliated Tribes Constitution and By-Laws and 25 C.F.R. Part 81 to call a Secretarial Election on proposed Amendments to Article III Section 2 of the Constitution”

WHEREAS, the Three Affiliated Tribes, the Mandan Hidatsa and Arikara Nation (“MHA 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 MHA Nation Constitution 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 MHA Nation and of the enrolled members thereof; and

WHEREAS, Article III, Section 1 of the Constitution provides that the Council is the governing body of MHA Nation; and

WHEREAS, Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes provides the Tribal Business Council has the power to adopt resolution 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 the Interior; and

WHEREAS, Article X - Amendments of the Constitution provides that the Constitution and By-Laws of the Tribes may be amended by a majority of the qualified voters of the Tribes voting in an election called for that purpose by the Secretary of the Interior, provide 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 amendment to the Constitution when requested by a two-thirds (2/3) vote of the Tribal Business Council; and

WHEREAS, 25 CFR Part 81 provides federal regulations for petitioning the Secretary of the Interior to call secretarial elections to amend tribal constitutions; and



WHEREAS, Article III Section 2 of the Constitution currently provides for a Tribal Business Council to be made up of thirteen (13) members; consisting of a Tribal Chairman and two council representatives from each of the six Reservation Segments; and

WHEREAS, Article III Section 2 of the Constitution also provides that one additional council representative for any one segment that reaches a population of at least 700 qualified voters residing in that segment; and

WHEREAS, The Tribal Business Council now petitions that a Secretarial Election be conducted by the Secretary of the Interior to determine if the Enrolled Membership wishes to amend Article III Section 2 and have a Tribal Business Council comprised of seven (7) members; consisting of a Chairman and one council representative from each of the six Reservation segments.

NOW THEREFORE BE IT RESOLVED, the Tribal Business Council of the Three Affiliated Tribes pursuant to the Article X of the Constitution and 25 CFR Part 81 hereby petitions the Secretary of the Interior or his authorized representative to call a Secretarial Election on the following proposed Amendments to Article III Section 2 of the Constitution of the Three Affiliated Tribes:

1. *Decrease* the number of Tribal Business Council Representatives from thirteen (13) to seven (7) by reducing the number of Council Representatives to one representative for each of the six (6) Reservation Segments;
2. *Deleting* the language in Article III Section 2 regarding an increase for additional Council representatives for any one segment should the population reach at least 700 qualified voters;
3. *Correspondingly amend* Article III of the By-laws changing the Quorum Requirement for a Tribal Business Council meeting from seven (7) members to five (5) members if the proposed amendment to Article III Section 2 of the Constitution is approved; and

BE IT FURTHER RESOLVED, The Tribal Business Council requests in its petition for a Secretarial Election that the Secretary of the Interior or his authorized representative hold the Secretarial Election as timely as possible so as not to impact the 2014 Primary and General Elections of the Three Affiliated Tribes; and

BE IT FINALLY RESOLVED, Upon approval of the petition of the Tribal Business Council of the Three Affiliated Tribes, the tribal members of the Secretarial Election Board shall be nominated and approved by a majority vote of the Tribal Business Council.




CERTIFICATION

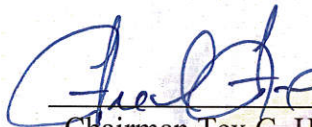
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 9th day of January, 2014, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 2 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 9th day of January, 2014.


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

ATTEST:

 vice-chairman
Chairman Tex G. Hall
Tribal Business Council
Three Affiliated Tribes