



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

A Resolution entitled, “Approval of the People’s Fund Distribution and Eligibility Plan for the Nuxbaaga Iidaa Uuh Waa Zaah, Sahnis waaplsis, Aki numuk aji tawatesh sha geddish”

WHEREAS, The Three Affiliated Tribes (the “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 Constitution of the MHA Nation 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 MHA Nation and of the enrolled members thereof; 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, Pursuant to Article VI, Section 5(c) of the MHA Nation's Constitution, the Tribal Business Council is authorized administer and make expenditures from available tribal funds for public purposes of the MHA Nation; and

WHEREAS, Nuxbaaga Iidaa Uuh Waa Zaah, Sahnis waaplsis, Aki numuk aki tawatesh sha geddish (the “People’s Fund”) was established as a way to promote the general welfare of the Tribe and its members through the fair and equitable distribution to duly enrolled tribal members of revenues derived from the MHA Nation’s nonrenewable oil and gas resources, while preserving a revenue base for future generations; and

WHEREAS, The Tribal Business Council, by Resolution No. 13-004-VJB established a tribal governmental Department (the “Department”) to provide day-to-day administration and to develop an administrative plan to provide distributions from the Fund to eligible members; and

WHEREAS, The Department has prepared an administrative plan entitled “People’s Fund Distribution and Eligibility Plan” which establishes the rules of eligibility and a framework for making distributions from the People’s Fund to eligible tribal members.

NOW, THEREFORE, BE IT RESOLVED that the Tribal Business Council of the Three Affiliated Tribes hereby approves the People’s Fund Distribution and Eligibility Plan; and



BE IT FURTHER RESOLVED, that the Tribal Business Council authorizes and directs the administrator of the People's Fund to make the first distribution under the Plan in the amount of \$500.00 to each eligible MHA Nation Tribal member by August 1, 2014; and

BE IT FINALLY RESOLVED, that the Tribal Business Council is hereby authorized to take such further actions as are necessary to carry out the terms and intent of this Resolution.

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THREE AFFILIATED TRIBES

MANDAN, HIDATSA, ARIKARA NATION

People's Fund Distribution and Eligibility Plan

DRAFT

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1. Narrative.

Nuxbaaga lidaa Uuh Waa Zaah, Sahnis waaplsis, Aki numuk aki tawatesh sha geddish, The People's Fund, ("The People's Fund"), was established for the benefit of the members and future generations of the MHA Nation from now until time in memorial. The Three Affiliated Tribes Tribal Business Council ("Business Council") recognizes the opportunity to give to the members of the MHA Nation The People's Fund from the oil and gas development on the Fort Berthold Reservation. The People's Fund will provide revenue for the membership long after the last barrel of oil is taken from our lands. We have been blessed with this natural resource that has taken millions of years for Mother Nature to prepare and The People's Fund will extend the benefits of this resource perpetually into the future.

2. Statement of Plan.

In order to promote the general welfare of the Tribe and its members, this plan is intended to provide for fair and equitable distribution to duly enrolled tribal members revenue generated from the development of the MHA Nation's nonrenewable oil and gas resources and set aside by the MHA Nation Business Council.

3. Allocation of Tribal Nonrenewable Oil and Gas Resource Revenue.

The Business Council, by Resolution No. 13-004-VJB, established a Tribal Department and Advisory Board to administer the Peoples' Fund. The Advisory Board recommends allocating eighty percent (80%) of the Tribe's nonrenewable oil and gas resource revenues to The People's Fund and has limited the use of the principal amount of investment except as may be authorized by the Business Council in the future.

4. Criteria for Eligibility.

a. All members of the Mandan, Hidatsa and Arikara Nation that are on the Tribal rolls shall be eligible to receive The People's Fund distributions. Such distributions shall be made in an equal amount of money to each Tribal member eligible to receive a distribution pursuant to this Plan.

b. Membership in the Mandan, Hidatsa and Arikara Nation shall be determined by the Enrollment Department pursuant to the Enrollment Ordinance and the MHA Nation Constitution.

c. In order to provide for orderly review and consideration, applications approved within sixty (60) days or less of a scheduled distribution date shall not be found eligible for distribution until the next scheduled distribution.

d. Address Verification. Members shall be responsible for providing address changes to the Enrollment Office as they occur.

c. Deceased Members. In the event that the eligible member has died on or after the fifteenth day of the month prior to the date of distribution, the decedent will still be eligible to receive that year's distribution with the following exceptions: (i) minors funds for those that have not reached distribution age will be deposited into their Individual Indian Monies (IIM) account which will then be handled by their estate; (ii) distribution for all other decedents beyond distribution age may be released to the estate.

5. Minors and Other Legal Incompetents.

a. The interests of minors and other legally incompetent members shall be disbursed as follows. An IIM account will be established with the Office of Special Trustee for each minor member eligible for The People's Fund distributions. Distributions to minor members will be released to them upon reaching the age of twenty-one (21). Other legally incompetent member's distributions will be released to their Power of Attorney, Legal Guardian, Estate or other designated individual or entity.

b. Education Criterion.

(1) The trust assets of each such account maintained for a minor shall be disbursed in equal amounts at the end of each academic term to the member-beneficiary thereof upon the earlier of (i) said member-beneficiary meeting the dual criteria of (a) reaching the age of eighteen (18) and (b) the following academic disbursement requirements are met:

(i) All member-beneficiaries are required to submit Letter of Acceptance to an accredited college or university,

(ii) All member-beneficiaries are required to submit grades/transcripts at the end of each academic term as justification that the continued disbursement requirements have been met.

(iii) All member-beneficiaries must complete twelve (12) academic transferable credit hours, maintain a grade point average of 2.0 each academic term and maintain a cumulative grade point average of 2.0 in order to receive continued disbursements.

(2) Exception Rule. This exception rule only provides for the early release of IIM accounts to a Tribal member that is eighteen (18) and enlisted in the United States Armed Forces or National Guard and is on active duty.

6. Payments.

Annual Distributions. The Annual Distribution Date for The People's Fund shall be July 31st of each calendar year ("Annual Distribution Date"). For those members eligible pursuant to Section 5 of this Plan, annual distributions shall be made to the eligible member's IIM account on the Annual Distribution Date. Annual distributions shall be made until such time as the individual member's distribution amount exceeds \$2,000.00. Distributions exceeding \$2,000 per year shall be disbursed in equal amounts on July 1st and December 1st of each calendar year ("Biannual Distribution Dates"). For those members eligible pursuant to Section 5 of this Plan, distributions shall be made to the eligible member's IIM account on the Biannual Distribution Dates.

c. Address of Eligible Member. Payments shall be mailed to the member's current address as annually verified or changed by the member per policy stated in paragraph 3d.

d. Effect of Indebtedness to Tribe on Distributions. Unless there is an approved loan and repayment schedule in effect prior to the distribution close out date of July 1 of the distribution year when distributions are under \$2,000.00 and June 1 and November 1 of the distribution year when distributions are over \$2,000.00 and the member is not in default on that schedule, any monies owed to the Tribe, to any Tribal Enterprise or to the Tribal Court, shall be deducted from any members distribution at the rate of one half (1/2) of annual and semi-annual distribution amount/s until such debt and/or obligation to the Tribe is paid in full per Resolution No. 13-004-VJB January 24, 2013.

e. 2013 Distribution. The Business Council, in the exercise of its legislative authority, hereby authorizes a onetime utilization of principal to complete the 2013 annual distribution as proposed by the Department and its Advisory Board.

7. Amendments.

This plan may be amended by the action of the Three Affiliated Tribes Tribal Business Council, in a meeting at which a quorum is present, but only upon the affirmative vote of a majority of the members.

Comment [A1]: This would allow the Business Council to amend the plan or eliminate it upon the vote of a simple majority. It was my understanding the BC was not supposed to have that type of influence over this fund.




CERTIFICATION

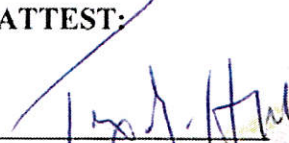
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 10th day of July, 2014, 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 10th day of July, 2014.



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

ATTEST:


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