



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

**A Resolution Entitled, *“In accordance with provisions of P.L. 93-638, Section 105(c) (2), the Three Affiliated Tribes invokes its privilege to renegotiate (or re-contract), annually, any and all funds that are or that may be appropriated by Congress for the delivery of P.L. 93-638 contracted program functions, services and activities through the Bureau of Indian Affairs”***

**WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted Constitution and By-Laws pursuant to said Act; and

**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; 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 (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, P.L. 93-638, as amended, provides that Tribes may renegotiate (or re-contract) any and all funds that are or that may be appropriated by Congress for the delivery of program functions, services or activities contracted under provisions of said Act; and

**WHEREAS,** The Tribal Business Council understands and is in agreement that Section 105 (c) (2) provides for the Tribes’ renegotiation (or re-contracting) of any and all funds that are or that may be appropriated by Congress in order that sound and proper consideration may be given to changed circumstances and factors, including, but not limited to increases beyond the control of the Tribal organization;

**NOW THEREFORE BE IT RESOLVED,** That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, pursuant to the authority granted by the Constitution and By-Laws of the Tribes and the Indian Self-Determination and Education Assistance Act, hereby invokes its privilege to renegotiate (or re-contract) any and all funds that are or that may be appropriated by Congress for the delivery of the program functions, services, and activities under provisions of said Act;



**NOW, THEREFORE, BE IT FURTHER RESOLVED**, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation hereby invokes the provisions of the Indian Self-Determination and Education Assistance Act for consideration of changed circumstances and factors, including, but not limited to, cost increases beyond the control of the tribal organization, in the annual renegotiation (or re-contracting) process.

**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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 11<sup>th</sup> day of August, 2016, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 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 [ X ] Voting. [ ] Not Voting.

Dated this 11<sup>th</sup> day of August, 2016

**ATTEST:**

Tribal Secretary, L. Kenneth Hall  
Tribal Business Council  
Three Affiliated Tribes

Tribal Chairman, Mark N. Fox  
Tribal Business Council  
Three Affiliated Tribes