



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

A Resolution Entitled: “Directive to the Office of Trust Fund Management to Make Available Funds for Withdrawal from Three Affiliated Tribes Proceeds of Labor Account PL7228700 in the Amount of \$35,000,000.00.”

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 (or “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 (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 and Tribal officials on the Reservation; and

WHEREAS, Article VI, Section 5(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes of the Tribes; and

WHEREAS, Each Fiscal Year the Tribal Business Council adopts an Annual General Fund Operating Budget which includes earnings and income from the Proceeds of Labor Fund Account #PL7228700; and

WHEREAS On October 6th, 2021, the Tribal Business Council adopted Resolution #21-212-FWF approving continuing operating in accordance with the FY-2021 General Fund budget for the Three Affiliated Tribes until further action is taken; and

WHEREAS, The Tribal Business Council has authority according to the terms of the said Constitution to direct the Office of Special Trustee to disburse the proceeds derived from Oil and Gas Leases on the Fort Berthold Reservation. Funds are



available in the Proceeds of Labor Account PL7228700 to be withdrawn in the amount of \$35,000,000; and The Tribal Business Council has decided to draw these funds down.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby directs the Office of Special Trustee to relinquish the amount of \$35,000,000 from the Proceeds of Labor Account PL7228700 to the Three Affiliated Tribes for continued operations of the Three Affiliated Tribes in accordance with the 2021 General Fund budget and Resolution #21-212- FWF; and

BE IT FURTHER RESOLVED, that the Tribal Finance Department within the Three Affiliated Tribes will submit the proper forms to the office of Special Trustee with instructions to transfer \$35,000,000 from Proceeds of Labor Account PL7228700 with the attachment of Resolution # 21-212-FWF; and

BE IT FINALLY RESOLVED, the Tribal Finance Department within the Three Affiliated Tribes will submit a Standard Form 4285 to the Office of Special Trustee with instructions to transfer \$35,000,000.00 from Proceeds of Labor Account PL7228700 to the MHA Nation Peoples Fund Account #10017014.

C E R T I F I C A T I O N

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 6th day of October, 2021, 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 6th day of October, 2021.

ATTEST:


Tribal Secretary, Fred W. Fox
Tribal Business Council


Chairman, Mark N. Fox
Tribal Business Council