

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

- WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under 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 VI, Section 3(a) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to employ legal counsel for the provision of legal assistance to the Three Affiliated Tribes; and
- WHEREAS, The Three Affiliated Tribes are currently party to a P.L. 93-638 contract (No. A00C14202402) with the Bureau of Indian Affairs for the administration of the Aid to Tribal Government Program (FY-1986), under which contract the Legal Department of the Three Affiliated Tribes has been delegated the responsibility of revising certain portions of the Code of Laws of the Three Affiliated Tribes; and
- WHEREAS, The Tribal Business Council has been informed by officials of the Fort Berthold Agency of the Bureau of Indian Affairs that certain FY-1987 Aid to Tribal Government Program funds are available to support a P.L. 93-638 contract between the Three Affiliated Tribes and the Bureau of Indian Affairs; and
- WHEREAS, It is the considered judgment of the Tribal Business Council that, in addition to those identified provisions of the Code of Laws which are subject to revision under the current P.L. 93-638 Contract No. A00C14202402, (1) there are numerous other provisions of the Code of Laws which are in dire need of substantial revision, so as to update those provisions to reflect new developments in the law, and (2) there exists a need to supplement the current Code with additional legislative enactments as dictated by the current needs of the Three Affiliated Tribes; and
- WHEREAS, It is further the considered judgment of the Tribal Business Council that the Three Affiliated Tribes should attempt to secure the identified available FY-1987 Aid to Tribal

BUDGET JUSTIFICATION

Set forth hereinbelow, in outline form, is a narrative justification supportive of the line item budget of the contract proposed herein, which budget is set forth hereinbefore on the Project Budget Form AA0-1-AA. This narrative also identifies the specific methods by which the objective of the proposed contract will be accomplished.

1. Request, secure, organize, and review copies of correlative codifications of statutory law for reference from various sources (e.g., Native American Rights Fund, Indian Law Support Center, National Indian Law Library, American Bar Association Model Codes, Uniform Codes, North Dakota Century Code).

Staff Attorney (J) (68 hrs. @ \$13.70/hr.)	\$ 931.60
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2. Consultation among three attorneys re: specific revision needs, division and assignment of drafting responsibilities and identification of reference materials.

Staff Attorney (J) (7 hrs. @ \$13.70/hr.)	\$ 95.90
Staff Attorney (C) (7 hrs. @ \$16.83/hr.)	117.81
Supervising Attorney (Q) (7 hrs. @ \$17.79/hr.)	124.53

3. First phase revision

- a. Individual drafting of revisions of assigned Code chapters.

Staff Attorney (J) (105 hrs. @ \$13.70/hr.) (rules of appellate procedure)	\$ 1,438.50
Staff Attorney (C) (105 hrs. @ \$16.83/hr.) (land consolidation/acquisition)	1,767.15
Supervising Attorney (Q) (63 hrs. @ \$17.79/hr.) (judgments and execution, dog registration and rabies control)	1,120.77

- b. Individual review of initial drafts of other two attorneys, consultation among three attorneys re: further revisions, individual drafting of final Department revisions.

Staff Attorney (J) (40 hrs. @ \$13.70/hr.)	\$ 548.00
Staff Attorney (C) (40 hrs. @ \$16.83/hr.)	673.20
Supervising Attorney (Q) (40 hrs. @ \$17.79/hr.)	711.60

- c. Presentation of final Department revisions to Judiciary Committee and Tribal Business Council, individual drafting of final official revisions, presentation to and adoption by Tribal Business Council of final official revisions.

Staff Attorney (J) (15 hrs. @ \$13.70/hr.)	\$ 205.50
Staff Attorney (C) (15 hrs. @ \$16.83/hr.)	252.45
Supervising Attorney (Q) (15 hrs. @ \$17.79/hr.)	266.85

4. Second phase revision

- a. Individual drafting of revisions of assigned Code chapters.

Staff Attorney (J) (105 hrs. @ \$13.70/hr.) (nonprofit corporations)	\$ 1,438.50
Staff Attorney (C) (105 hrs. @ \$16.83/hr.) (commercial transactions)	1,767.15
Supervising Attorney (Q) (63 hrs. @ \$17.79/hr.) (business organization)	1,120.77

- b. Individual review of initial drafts of other two attorneys, consultation among three attorneys re: further revisions, individual drafting of final Department revisions.

Staff Attorney (J) (40 hrs. @ \$13.70/hr.)	\$ 548.00
Staff Attorney (C) (40 hrs. @ \$16.83/hr.)	673.20
Supervising Attorney (Q) (40 hrs. @ \$17.79/hr.)	711.60

- c. Presentation of final Department revisions to Judiciary Committee and Tribal Business Council, individual drafting of final official revisions, presentation to and adoption by Tribal Business Council of final official revisions.

Staff Attorney (J) (15 hrs. @ \$13.70/hr.)	\$ 205.50
Staff Attorney (C) (15 hrs. @ \$16.83/hr.)	252.45
Supervising Attorney (Q) (15 hrs. @ \$17.79/hr.)	266.85

SALARIES

Staff Attorney (J)	\$ 5,412.00
Staff Attorney (C)	5,503.00
Supervising Attorney (Q)	4,323.00

FRINGE BENEFITS

FICA	\$ 1,090.00
SUTA	468.00
Workmen's Compensation	5.00
Health Insurance	528.00

OFFICE SUPPLIES

Legal pads, typewriter paper, photocopy paper and supplies, etc.	\$ 449.00
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INDIRECT SUPPORT

26.0% of contract budget	\$ 4,622.00
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BUDGET TOTAL

\$22,400.00

1 / ORIGINAL CONTRACT 2 / CONTRACT MODIFICATION *SF 26/SF 30 are hereby referenced.
 3 / PROJECT BUDGET, INVOICE, FINANCIAL REPORT 4 / OBLIGATING DOCUMENT

1 CONTRACTOR: Three Affiliated Tribes
 P.O. Box 220
 New Town, ND 58763

2 ADMINISTERED BY: Contracting Officer
 Bureau of Indian Affairs
 Aberdeen Area Office
 115 Fourth Avenue, S.E.
 Aberdeen, South Dakota 57401

3 / NEG. / P.L. 93-638 / 725 USC 41
 4 OPERATE/ADMINISTER

5 / TABLE OF CONTENTS FOR PARTS 100, 200, 300; REPRESENT/ACKNOWLEDGEMENTS: RESOLUTION NO. ATTACHED

6 AGENCY LOCATION OR CODE: _____ 11 FISCAL YEAR: 1987 16 COR: Alonzo Spang
 7 CONTRACT NUMBER: _____ 12 REPORT PERIOD: Monthly 17 TITLE: Superintendent
 8 MODIFICATION NO: _____ 13 EFFECTIVE DATE: 10/01/86 18 DUNS NO: _____
 9 PROGRAM: _____ 14 EXPIRATION DATE: 09/30/87 19 NO. EMPLOYEES: _____
 10 TYPE CONTRACT: / / 638 15 ANNUAL REPORT DUE: _____ 20 IND. COST RATE: _____
 / / BUY IND

21 FY- EXPEND:	FY- SAVE:	FY- CHANGE TO	TOTAL:
22	23	24	25
ACCOUNTING AND APPROPRIATION DATA	CHANGE FROM	*CHANGE TO	INCREASE

*This column will also be used to establish Accounting and Appropriation Data.

27 PROJECT BUDGET, INVOICE, FINANCIAL REPORT:

28 Element-Component/ Budget Line Items	29 FY- APPROVED BUDGET	30 CURRENT EXPENDED MONTH	31 CURRENT YEAR TO DATE	32 CURRENT BALANCE
Salaries				
Supervising Atty. (Quale)	516			
Staff Attorney (Cross)	5,503			
Staff Attorney (Johnson)	5,412			
Fringe Benefits	1,569			
Office Supplies	333			
Indirect Support	3,467			
TOTAL	16,800			

33 I CERTIFY THAT SERVICES HAVE BEEN PERFORMED FOR THE PERIOD _____ TO _____ IN ACCORDANCE WITH THE ABOVE STATED CONTRACT AND EXPENSES INCURRED AS ITEMIZED ABOVE IN THE AMOUNT OF _____.

NAME: _____ TITLE: _____ DATE: _____

34 CASH BALANCE COMPUTATION: 35 / / LETTER OF CREDIT NO. 14-20- 36 / / DIRECT TREASURY

37 / / PROGRESS PAYMENT

38 Funds received to date: _____ 40 Liquidation to date: _____

39 Expenditures to date: _____ 41 Cash on Hand: _____

42 Funds received this month: _____ 44 Liquidation this month: _____

43 Expenditures this month: _____ 45 Cash on Hand: _____

46 DESCRIPTION OF CONTRACT MODIFICATION: / / NO CHANGE. / / CHANGE TOTAL AMOUNT OF CONTRACT FROM _____ TO _____ / / INCREASE OF _____ / / DECREASE OF _____
 / / SEE BLK NO. 22 THRU 26. / / SEE BLK NO. 22 AND 24. SEE BLK NO. / / 28 / / 29

/ / 30 / / 31 / / 32 / / 33 / / 37 THRU 45 / / 46 PART 200: / / CLAUSE 200.6 / / CLAUSE 200.

47 / CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN ORIGINAL COPY TO BLK. NO. 2.

48 CONTRACTOR: 51 UNITED STATES OF AMERICA:
 BUREAU OF INDIAN AFFAIRS:

49 BY: Alyce Spotted Bear 52 BY: _____
 50 6/30/86 53 ACTING AREA PROPERTY AND SUPPLY OFF. DATE

NAME AND TITLE OF SIGNER DATE CONTRACTING OFFICER

Alyce Spotted Bear
 Chairperson, Tribal Business Council

Government Program funds via contract with the Bureau of Indian Affairs for the purpose of accomplishing further revision of the Tribal Code of Laws; and

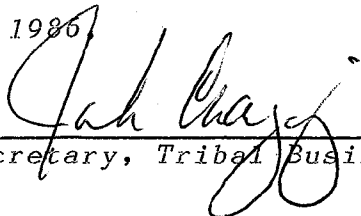
WHEREAS, In a June 4, 1986 memorandum addressing the matter of the submission of P.L. 93-638 applications for FY-1987, the Area Director of the Aberdeen Area Office of the Bureau of Indian Affairs encouraged the "use of recontracting authority for existing contracts where there will not be a substantial change in the scope of work for FY-87;"

NOW, THEREFORE, BE IT RESOLVED, That, pursuant to 25 C.F.R. §271.20, the Tribal Business Council of the Three Affiliated Tribes hereby formally requests that the Bureau of Indian Affairs recontract for the administration by the Tribes of the FY-1987 Aid to Tribal Government Program, under which contract the Legal Department of the Three Affiliated Tribes would be delegated the responsibility of continuing to provide the necessary legal assistance in the further revision and supplementation of the Code of Laws of the Three Affiliated Tribes.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 11 members of whom 7 constitute a quorum, 8 were present at a SPECIAL Meeting thereof duly called, noticed, convened, and held on the 30 day of JUNE, 1986; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 members, 1 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 30 day of JUNE, 1986


Secretary, Tribal Business Council

ATTEST:


Chairman, Tribal Business Council