

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 and Bylaws of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities for the welfare and benefit of the tribes and tribal members; and
- WHEREAS, Article VI, Section 5(a) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to manage all economic affairs and public and private enterprises of the Tribes in accordance with the terms of the Corporate Charter issued to the Tribes by the Secretary of Interior; 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 any funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purpose of the Tribes; and
- WHEREAS, funds were appropriated on June 8, 1981, and on August 25, 1981, in satisfaction of the respective awards granted to the Three Affiliated Tribes of Fort Berthold Reservation in United States Court of Claims Dockets 350-G and 54-81L; and
- WHEREAS, Under the Programming Aspect of Twenty (20) percent of the funds, the Three Affiliated Tribes established the Higher Education Fund and the plan reads as follows:
- "5. Higher Education. Ten (10) percent shall be used for the furtherance of higher education, under a Plan of Operations developed by the tribal governing body and approved by the Secretary, and shall include college scholarships and the enhancement of the Tribal Community College Fund."
- WHEREAS, the newly revised proposed Plan of Operation is in line with the Distribution Plan, the Tribal Constitution and Bylaws and Federal Law; and
- WHEREAS, the intent of this new Plan of Operations will be to provide the financial equity necessary to secure a 20 to 25 long-term loan package for the development, financing, and construction of the new FBCC college building to be located in the Four Bears Park area on Tribal trust lands provided by this Tribal governing body to the Fort Berthold Community College for the purpose of the permanent establishment of this Tribal Institution of Higher Learning.

NOW THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes, hereby authorizes the Higher Education fund to be used for (1) Establishment of College Building equity fund and (2) a continuation of a scholarship program operated by the college both uses which are specifically authorized under the Distribution Plan approved by Congress.

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby authorizes the Bureau of Indian Affairs to set-aside the earned interest to be allocated to the Higher Education Program through an annual budgetary process for the purposes outlined in the new Plan of Operations covering the building phase and scholarship program.

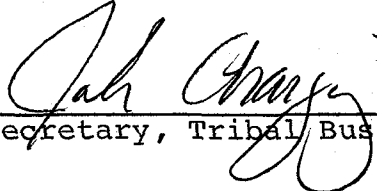
BE IT FURTHER RESOLVED, that the current Plan of Operations authorized under Tribal Resolution 83-193-S for a period of five (5) years ending August 3, 1987, is hereby fully rescinded in its entirety.

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

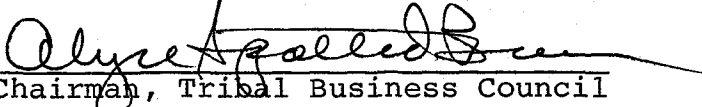
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 11 members of whom 7 constitutes a quorum, 7 were present at a Special Meeting; thereof duly called, noticed, convened and held on the 19th Day of September 1986; and 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 19th Day of September 1986.

  
Secretary, Tribal Business Council

ATTEST:

  
Chairman, Tribal Business Council

THREE AFFILIATED TRIBES • FORT BERTHOLD RESERVATION  
*Mandan, Hidatsa and Arikara Tribes*  
TRIBAL BUSINESS COUNCIL

P.O. Box 220 • New Town, North Dakota 58763 • (701) 627-4781

September 19, 1986

Alyce Spotted Bear  
Tribal Chairman

Tillie Walker  
Vice Chairman  
West Segment

Matthew Mason  
Secretary  
North Segment

Dennis Huber  
Treasurer  
South Segment

Roy Bird Bear  
West Segment

Pete Coffey  
East Segment

Nathan Paul Good Iron  
West Segment

Donald Malnourie  
East Segment

Ernest Stone  
South Segment

Marie D. Wells  
Northeast Segment

Gerald White Sr.  
East Segment

Dr. Alonzo Spang, Superintendent  
Bureau of Indian Affairs  
Fort Berthold Indian Agency  
New Town, North Dakota 58763

Re: Revised Plan of Operations - Higher Education Docket 350-G

Dear Doctor Spang:

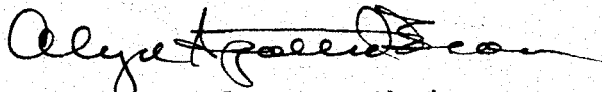
Forwarded is the newly revised Plan of Operations and our Tribal Resolution authorizing same. This resolution rescinds Tribal Resolution #83-193-S in its entirety and establishes a new plan of operations for the use and distribution of Judgment Funds of Dockets 350-G and 54-81L.

These Judgment Funds were approved for distribution on August 5, 1982, in accordance with a plan of operation published in the FEDERAL REGISTER on June 25, 1982. Funds were programmed for Higher Education in the Judgment Fund Distribution Plan. It is the Tribe's intent that this plan of operation provides for the use of those funds.

It is the Tribal governing body's belief that this is the kind of Plan of Operations for trust funds that will be a demonstration effort to the financial community that you can do business with Tribal Business Councils and their governing boards. It could lead to the enhancement of economic development strategies in the future use of Tribal trust fund accounts.

Please advise of your intentions and feel free to contact me or Mike Cross, Chairman, Board of Directors, Fort Berthold Community College for any further information.

Sincerely,



Alyce Spotted Bear, Chairman  
Three Affiliated Tribes

cc: Members, FBCC Board of Directors



**FORT BERTHOLD  
COMMUNITY COLLEGE**

P. O. Box 490 — New Town, North Dakota 58763

M E M O R A N D U M

TO: Tribal Business Council

FROM: Mike Cross, Chairman, Board of Directors  
Fort Berthold Community College

DATE: September 19, 1986

SUBJ: Plan of Operations - FBCC College Building

In accordance with your request at the September 2nd Tribal Council meeting, legislative action was continued until today. This was done so that each Council member could review this new Plan of Operations for the purposes outlined under the 350-G distribution plan's for Higher Education which reads:

5. Higher Education. Ten (10) percent shall be used for the furtherance of higher education, under a Plan of Operations developed by the tribal governing body and approved by the Secretary, and shall include college scholarships and the enhancement of the tribal Community College Fund.

The intent of this new Plan of Operations will be to provide the equity to secure a long-term loan for the development, financing, and construction of the new FBCC college building to be located in the Four Bears Park area on tribal trust land provided by this Tribal Business Council.

In relationship to this, I am pleased to report to you that the College will be receiving full accreditation from the North Central Association of Colleges and Schools in the coming Calendar Year 1987. Once that milestone has been achieved a major goal of the Tribal governing body for the tribal members will have been achieved

Your continued support for the college is needed -- both financially and with leadership. The college needs to fulfill this Tribal goal so that educational programs can be provided by the college in developing trained and skilled leadership to meet your Tribal social and economic goals.

A critical need at this time is the Reauthorization of the revised Plan of Operations. The college needs your political power and influence to help with the passage of this Tribal legislation because



**FORT BERTHOLD  
COMMUNITY COLLEGE**

P. O. Box 490 — New Town, North Dakota 58763

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Tribal Business Council

Subject: Plan of Operations - FBCC College Building

it is vital to the survival of the Fort Berthold Community College. A stable financial base is a critical need for the college's building effort as we progress towards accreditation and in providing stability for the college's educational programs and services to your reservation communities. Whatever your revenues are -- education must be a continuing top priority for useage of these revenues.

The Board of Directors of Fort Berthold Community College need to insure the quality and integrity of the institution -- not only to our reservation community, but to the larger higher educational community of our state and nation. The board is a vital part of the policy making process and have authorized this plan of operations.

I wish to restate that Fort Berthold Community College is in its last stage of achieving accreditation with North Central Association of Schools and Colleges. This achievement is to be commended. It takes years of work in providing educational programs and services that are recognized by other institutions of Higher Education throughout our region. This final Candidate Status demonstrates that the college's educational programs are of quality and that our Instiution's integrity in meeting our stated goals and purposes is acceptable to other colleges and to our accreditation association.

In looking ahead to the future of Indian education on the reservation and to the future of the college, we must understand the historical events leading up to today's systems of education for the Indian people and why it is so critical to keep the tribally controlled systems of education alive and providing services.

Your continued support of the college's goals and plans will be an important influence in allowing this progress to continue and not lose what has been gained.

cc: Members, FBCC Board of Directors

D E C L A R A T I O N   O F   P O L I C I E S

AND

PLAN OF OPERATION  
FORT BERTHOLD COMMUNITY COLLEGE

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I. DEFINITIONS:

Wherever the following terms are used herein, they will have the meanings indicated:

1. "TRIBE" means the Three Affiliated Tribes of the Fort Berthold Reservation.
2. "TRIBAL BUSINESS COUNCIL" means the governing body of the Tribes consisting of eleven members of the Tribes elected in accordance with Article IV of the Tribe's constitution approved April 24, 1937, and subsequent amendments thereto.
3. "COMMITTEE" means the Committee appointed in accordance with the resolution by the Tribal Business Council.
4. "DECLARATION" means this declaration of policies and Plan of Operation.
5. "JUDGMENT FUNDS" means funds derived from Judgment award of Docket 350-G.
6. "COLLEGE" means Fort Berthold Community College.

II. PURPOSE:

To establish a fund to:

- A. assist the college with a Plan of Operations to provide the financial equity necessary to secure a 20 to 25 year long-term loan package for the development, financing, and construction of the new FBCC college building to be located in the Four Bears Park area on Tribal trust lands provided by the Tribal governing body to the College for the purpose of the permanent establishment of this Tribal college of higher learning.
- B. to assist enrolled members of the Tribe with scholarship assistance for their post-secondary education goals.

III. OPERATING PROCEDURES:

Upon approval by the Tribal Council of the Plan of Operations for distribution of funds programmed for Higher Education in the Judgment Fund Distribution Plan in Docket 350-G, which specifies 10% of the earned interest to be allocated to the Higher Education Program through an annual budgetary process, the interest allocated shall be distributed in the following percentages: 90% to Fort

DECLARATION OF POLICIES and  
PLAN OF OPERATION - FORT BERTHOLD  
COMMUNITY COLLEGE - DOCKET 350-G

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Berthold Community College for the building plan and 10% to scholarship assistance to Tribally enrolled members at the post-secondary level.

IV. SPECIFIC PROVISIONS:

- i. As the specific amounts cannot be calculated, the budget amounts must be constructed in consultation with the Superintendent, Bureau of Indian Affairs, Fort Berthold Indian Agency. (Please see BIA letter dated August 13, 1986 attached.)
- ii. There will be annual audits and financial disclosures and narratives published in the Tribal Newspaper and Tribal Radio and other media designated by the Tribal Business Council.
- iii. Modifications to this plan may be made subject to the approval of the Tribal Business Council, the college's Board of Directors, the Lending Institution and the Secretary of Interior.

V. BUILDING FUND ADMINISTRATION:

Upon receipt of the earned interest of the 350-G docket funds earmarked for Higher Education, an account will be established with the lending institution for the permanent college facility plan. The Docket interest monies will be utilized by the College's Board of Directors to start building immediately in accordance with the requirements of the Accreditation process they are governed by under their membership in the North Central Association of Colleges and Schools.

VI. SCHOLARSHIP FUND ADMINISTRATION:

Upon receipt of the earned interest of the 350-G funds earmarked for Higher Education, a special account will be established with lending institution for the purpose of scholarship assistance for Tribally enrolled members. This money will be administered at the discretion of the College President and Board of Directors.

VII. ANNUAL BUDGETARY ALLOCATION:

90% Permanent Building Fund  
10% Scholarship Assistance