

**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 5(d) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to negotiate with agencies of the United States Government on behalf of the Tribes; and
- WHEREAS,** The Great Plains Coal Gasification Plant, near Beulah, North Dakota, was built originally at a cost of \$2.1 billion to produce synthetic natural gas from lignite coal; and
- WHEREAS,** It was acquired by the Department of Energy when its private sponsors defaulted in 1985 on a federal loan of approximately \$1.5 billion; and
- WHEREAS,** The Department has operated the facility since the default but desires to divest its self of the facility; and
- WHEREAS,** On February 26, 1987, The Department of Energy engaged Shearson Lehman Hutton one of the world's largest securities firms, to assist the Department in marketing the Great Plains coal to synthetic gas plant in North Dakota; and
- WHEREAS,** In the Vol. 52 No. 197 of the Federal Register (10/13/87) the Department of Energy served official notice that the divestiture of the Facility would take place and outlined the general divestiture procedures; and
- WHEREAS,** On October 20, 1987, Shearson Lehman Hutton transmitted to the Three Affiliated Tribes a "Descriptive Memorandum" Document which provide information on the facility and detailed the divestiture process; and
- WHEREAS,** The Three Affiliated Tribes Tribal Business Council has since received an on-site tour of the facility received an extensive information package from ANG (the current Plant operators), performed financial analysis of the documentation provided, and drafted a preliminary bid proposal; and

WHEREAS, The next step in the Process is to submit a Preliminary Bid Proposal to Shearson Lehman Hutton for evaluation and further consideration by the United States Department of Energy; and

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby authorizes and directs the execution and submittal of the attached Preliminary Bid Proposal for the Great Plains Coal Gasification Facility through Shearson Lehman Hutton to the United States Department of Energy.

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 7 members of whom 5 constitute a quorum, 5 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 8 day of April, 1988; 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.

Dated the 8 day of April, 1988.

(Active) Jim M. Mossett
Secretary, Tribal Business Council

ATTEST:

Edward Lou Fjell
Chairman, Tribal Business Council