

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 Tribal members; and

WHEREAS, The Constitution of the Three Affiliated Tribes, Article VI, Section 5(c) states that "(a)ll expenditures from the Tribal Business Council fund ... shall be matters of public record at all times."; and

WHEREAS, The Corporate Charter, Article 9, and the By-Laws, Article I, Section 3, of the Three Affiliated Tribes additionally provide that records relating to expenditures from the Tribal Business Council fund constitute public records; and

WHEREAS, The Three Affiliated Tribes' Tribal Business Council has reviewed the memo of explanation prepared by the Tribal Legal Department regarding the rights of the enrolled members to review the expenditures of the Tribal Business Council.

NOW, THEREFORE, BE IT RESOLVED, That the Three Affiliated Tribes Tribal Business Council hereby approves the attached Policy and Procedures stipulating the process to be used by any enrolled member of the Three Affiliated Tribes for inspecting and examining expenditures made by the Tribal Business Council from the Council's annually budgeted "T-2" funds.

BE IT FURTHER RESOLVED, That the Policy and Procedures attached shall be in effect immediately upon the adoption of this Resolution.

POLICY and PROCEDURES  
for the  
INSPECTION and EXAMINATION  
of  
TRIBAL BUSINESS COUNCIL  
PUBLIC FINANCIAL RECORDS

POLICY: The Tribal Business Council of the Three Affiliated Tribes hereby states its recognition of the right of any enrolled member of the Three Affiliated Tribes to inspect and examine the public financial records for those expenses made by the elected members of the Tribal Business Council from the "T-2" funds budgeted annually by the Council.

The Tribal Business Council of the Three Affiliated Tribes hereby states its recognition of the right of any enrolled member of the Three Affiliated Tribes to delegate this right to inspect and examine the public financial records to his or her authorized agent.

The Tribal Business Council of the Three Affiliated Tribes hereby states that the right of any enrolled member of the Three Affiliated Tribes to inspect and examine these public financial records is not absolute, but is to be determined by whether permitting the inspection and examination would result in harm to the public interest which outweighs the benefit.

The Tribal Business Council of the Three Affiliated Tribes hereby states that this right to inspect and examine these public financial records extends only to one who has a legitimate purpose and one which is not adverse to the public interest.

The Tribal Business Council of the Three Affiliated Tribes hereby states the inspection and examination of these public financial records shall be permitted "during reasonable business hours."

The Tribal Business Council of the Three Affiliated Tribes hereby states the public financial records to be inspected and examined shall be the actual public financial records themselves and that the Tribal Finance Department shall not be required to prepare, compile or transcribe certain information contained in these public financial records.

PROCEDURES:

1. A written request to inspect and examine the public financial records for those expenses made by the Tribal Business Council from the annually budgeted "T-2" funds, as stated in the Policy statements above, shall be directed to the Tribal Treasurer with a copy to the Tribal Chairman and the Tribal Comptroller.
2. The written request shall state the expenditures to be reviewed.
3. The written request shall state the purpose(s)/reason(s) for this request.
4. The written request shall state how this information obtained during this inspection and examination shall be used. If a follow-up use is not intended, then this request shall state this fact.
5. The Tribal Treasurer shall respond in writing directly to each enrolled member's request the acceptance or denial to inspect and examine the public financial records within ten (10) work days from the Treasurer's receipt of the written request, with a copy to the Tribal Business Council Chairman, Council members and the Tribal Comptroller.
6. The Tribal Treasurer shall state in his/her response which public financial records are to be allowed to be subject to the inspection and examination.
7. The Tribal Treasurer shall state the inspection and examination is to be performed in the Tribal Finance Department, during the hours from 8:30 AM to 4:00 PM, on regular business days (exclusive of holidays), under the direct supervision of the Tribal Comptroller.
8. The Tribal Treasurer shall state to the enrolled member that he/she is to contact the Tribal Comptroller to have the date(s) and time(s) scheduled for this inspection and examination.
9. The Tribal Comptroller shall, when contacted by the enrolled member, schedule in writing the inspection and examination of the public financial records to begin within ten (10) working days of the date of the Tribal Treasurer's acceptance of the request, with a copy to the Tribal Business Council Chairman and Council members.
10. The Tribal Comptroller shall make the required public financial expense records available in a professional and timely manner to allow the enrolled member sufficient time to inspect and examine the records.
11. The enrolled member may not make copies of these public financial records and these public financial records shall not be allowed to be removed from the Tribal Finance Office.

Resolution #89-207-TL  
Dated August 31, 1989

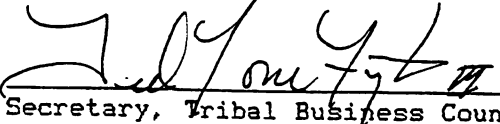
12. Any and all notes prepared by the enrolled member as a result of this inspection and examination shall be the property of the enrolled member and shall be allowed to be retained by the enrolled member upon the completion of the inspection and examination.
13. Should the inspection and examination require more time than that scheduled, the Tribal Comptroller shall schedule reasonable additional time within five (5) working days of the date on which more time is determined to be needed, in writing, and shall copy this amended schedule to the Tribal Business Council Chairman and Council members.

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

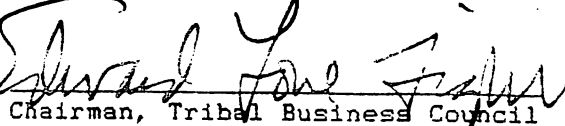
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitutes a quorum, 6 were present at a Special meeting thereof duly called, noticed, convened, and held on the 31st day of August, 1989; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended and does not rescind nor amend any other resolution.

Chairman      X Voting      \_\_\_\_\_ Not Voting

Dated this 31st day of August, 1989.

  
Secretary, Tribal Business Council

ATTEST:

  
Chairman, Tribal Business Council