

**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 assist members of the Tribes in presenting their claims or grievances before any agency of government; and
- WHEREAS,** It has come to the attention of the Tribal Business Council that Eagle Nest, Inc., an Indian-owned company whose owners are members of the Three Affiliated Tribes, has been denied a subcontract from the prime contractor, Flickertail Paving & Supply, for the Twin Buttes Pavement Road Project, Project 22-40(3), 221-10(3); and
- WHEREAS,** The Tribal Business Council of the Three Affiliated Tribes hereby acknowledges and supports the decision of the TERO Commission wherein the TERO Commission fully supports the awarding of a subcontract on the above-referenced project to Eagle Nest, Inc.; and
- WHEREAS,** The Tribal Business Council of the Three Affiliated Tribes recognizes the high rate of unemployment on the Fort Berthold Reservation and, thus, in light of the high rate of unemployment, the Tribal Business Council is a strong advocate for Indian preference in contracting and subcontracting; and
- WHEREAS,** It is the considered judgment of the Tribal Business Council that the Bureau of Indian Affairs should take a much more assertive role in pursuing and satisfying its trust responsibilities in securing, promoting and advocating Indian preference in contracting and subcontracting; and
- WHEREAS,** The Tribal Business Council of the Three Affiliated Tribes hereby supports the award to Eagle Nest, Inc. of a subcontract for Project 22-40(3), 221-10(3), the "Twin Buttes Pavement Road Project;"

NOW, THEREFORE, BE IT RESOLVED, The Tribal Business Council of the Three Affiliated Tribes hereby requests the Bureau of Indian Affairs to rescind its prior approval of the subcontracting plan submitted by Flickertail Paving & Supply and to lawfully provide Eagle Nest, Inc. with proper consideration for the award of a subcontract.

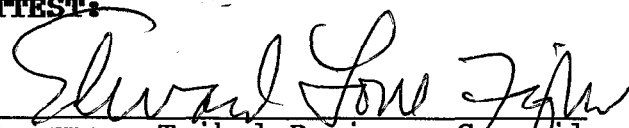
C E R T I F I C A T I O N

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, 7 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 30th day of August, 1990; 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.

Dated the 30th day of August, 1990.


Secretary, Tribal Business Council

ATTEST:


Chairman, Tribal Business Council