

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, The Three Affiliated Tribes contracted the Bureau of Indian Affairs Element 10 Education Administration function under Public Law 93-638, as Amended; and

WHEREAS, This Contract, #CTA04T30108 Mod.10, has a time period inclusive of Fiscal Years 1990 through 1992; and

WHEREAS, There have been significant problems encountered in the implementation of this Contract because actions taken by the BIA Office of Indian Education Programs:

- o The BIA's OIEP realignment process has created organizational and management dilemmas for both themselves and Tribe
- o Contract funding was labeled a "fluke" during the first year of the Contract which forced the Tribe to enter into an appeals process and operate the Education function under the shadow of contract termination
- o The Tribe originally contracted 100% of the Education Administration/Element 10 funds in good faith but was later forced into negotiation with the Central Office, the Aberdeen Area Office, and Turtle Mountain Agency to determine the allocation of contract funds between Bureau oversight needs and Tribal contract implementation needs

; and

WHEREAS, The Tribe has been forced to react to the needs or predicaments of the BIA rather than being able to fulfill all Contract goals and objectives; and

WHEREAS, In view of the problems enumerated and the anticipated time delays in renegotiating a new contract cycle or mature contract status, the Three Affiliated Tribes wishes to signal its intentions now so that a sufficient planning and negotiation period will be available,

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes and directs the Tribal Education Department Administrator to initiate, at all BIA Office of Indian Education Program levels, the process for recontracting or requesting mature contract status for the Education Administration/ Element 10 Contract #CTA04T30108 Mod.10

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 19th day of November, 1991; 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 19th day of November, 1991.

John Rabbithead Jr.
Secretary, Tribal Business Council

ATTEST:

Delores Hall
Chairman, Tribal Business Council