

**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, Title 25 Code of Federal Regulations Part 166 allows the Tribes and the Bureau of Indian Affairs to jointly develop grazing regulations; 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 (j) empowers the Tribes to protect and preserve the natural resources of the Fort Berthold; and

WHEREAS, The Tribal Business Council desires to do all things possible to promote beneficial economic activities and the Fort Berthold Reservation and properly manage the natural resources of the Reservation;

WHEREAS, The Tribal Business Council desires to limit sub-leasing of range units to persons who are qualified livestock operators of high integrity;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby amends Resolution No. 94-40 concerning leasing of range units by adding paragraphs numbered 16 and 17 to the Resolution as follows:

- 16) For all range units allocated by the Three Affiliated Tribes, no person shall be eligible for a Pasture Authorization Agreement unless the person:
 - a) is a bona-fide cattle or livestock operator;
 - b) is willing to abide with, and currently in compliance with, all regulations of the BIA or the Tribe, including this resolution;
 - c) willing to abide by, and currently in compliance with, all restrictions placed upon the operator by the Tribal allocatee of the range unit;
 - d) is current on all payments that may be owing to the Bureau of Indian Affairs and the allocatee of the Range Unit;
 - e) is not the subject of any investigation or complaint in federal, state or tribal court regarding any criminal activities regarding livestock, including, but not limited to, theft, importation of cattle into the state or reservation without proper brand or health inspection, or other crime involving livestock;

- f) has not been convicted within the past five years of any crime involving livestock, including, but not limited to, theft, importation of cattle into the state or reservation without proper brand or health inspection, or other crime involving livestock; and
- g) has not within the past five years violated state and tribal civil laws regarding transportation of livestock.

A person deemed ineligible because of any pending investigation or criminal complaint as stated above shall become eligible upon a determination that the person is not guilty of any crime.

(17) All livestock coming onto the reservation will be subject to inspection, at randomly placed checkpoints during daylight hours. Before any livestock are transported onto the Reservation, the BIA must be informed as to when the livestock are to be transported and their final destination.

BE IT FURTHER RESOLVED, That as soon as is practical, preferably before June 1, 1998, the Natural Resources Department, in coordination with the BIA, will establish checkpoints in all segments, manned by two staff, a BIA official and police officer if possible, to verify brands and proper documentation on all livestock coming onto the Reservation during daylight hours. Such checkpoints shall be operated not less than weekly during the month of June, and at such other times as directed by the Natural Resources Committee.

CERTIFICATION

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 29th day of May, 1998; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 29th day of May, 1998.

Daylon Spotted Bull
Secretary, Tribal Business Council

ATTEST:

[Signature]
Chairman, Tribal Business Council