

**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,** Since October 1, 1997, the Tribe has been eligible to receive interest from the Economic Recovery Fund created by Congress under the Equitable Compensation Act of the Three Affiliated Tribes and the Standing Rock Sioux Tribe (the "Act"), Title XXXV of P.L. 102-575, 106 Stat. 4731, for the benefit of the Three Affiliated Tribes and its members; and
- WHEREAS,** In order to receive such interest funds, or a portion thereof, the Tribe must gain approval from the Secretary of the U.S. Department of Interior for its proposed expenditures of the funds so that the Secretary may make a payment, or payments, to the Tribe from the interest funds derived from investment of the Economic Recovery Fund created by the Act; and
- WHEREAS,** After extensive consultation with Tribal members, the work of a special advisory "JTAC" Committee, full discussion by the Tribal Business Council and input about how the interest funds now available to the Tribe under the Act should be used, the Tribal Business Council has developed, for approval by the Secretary of Interior, a proposal for expenditure of a portion of the funds derived from the Act now available, in the amount of \$14 million, as attached hereto; and
- WHEREAS,** It is the goal of the proposal of the Tribal Business Council providing for expenditures of a portion of the interest funds derived from the Act, in the amount of \$14 million, that such expenditures shall fall within the categories of expenditures allowed by the Act, that such expenditures will be spent fairly and for the benefit of the Tribe and its members, and that such expenditures will in the aggregate result in the improvement of the economy of the Tribe along with improved social welfare and educational services for Tribal members and other programs that benefit the Tribe and its members; and
- WHEREAS,** It is now the desire of the Tribal Business Council to submit the attached proposal for expenditures of a portion of the interest funds derived from the Act, in the amount of \$14 million, for approval by the U.S. Secretary of Interior or his duly authorized representative; and

WHEREAS, It is the desire of the Tribal Business Council within 120 days of the enactment of this resolution to submit for a referendum vote of the members of the Three Affiliated Tribes a plan for expenditure of such funds that remain available for distribution to the Tribe from the interest funds derived from the Act that have not otherwise been designated for expenditure pursuant to this resolution or that have not otherwise been set aside or expended pursuant to previous resolutions;

NOW, THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby resolves to submit the attached proposal for expenditure of a portion of the interest funds derived from the investment of the Economic Recovery Fund created by the Act, in the amount of \$14 million, for approval as soon as possible by the U.S. Secretary of Interior, or to his duly authorized representative; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Tribal Business Council hereby authorizes the Chairman and the Treasurer of the Tribe to execute any and all documents and to take any and all actions necessary to allow the attached proposal for the expenditure of interest funds derived from the investment of the Economic Recovery Fund created by the Act, in the amount of \$14 million, to be approved by the Secretary of the Department of Interior as soon as possible, and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Tribal Business Council hereby determines that all uses of the funds as outlined in the attached proposal are within the normal understanding of the uses of the funds as authorized in the Act; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Tribal Business Council hereby reserves the right to amend, by a duly enacted Resolution, the attached proposal for the expenditure of interest funds derived from the investment of the Economic Recovery Fund created by the Act, with the understanding that such amended proposal must be submitted for approval to Secretary of the Department of Interior; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Tribal Business Council hereby determines that pursuant to the Tribal Constitution and Tribal law, it shall, within 120 days of the enactment of this resolution, submit to a referendum vote of the members of the Three Affiliated Tribes a plan for expenditure of such funds that remain available for distribution to the Tribe from the interest funds derived from the Act that have not otherwise been designated for expenditure pursuant to this resolution or that have not otherwise been set aside or expended pursuant to previous resolutions.

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, 6 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 2 day of Dec, 1999; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 3 members, 2 members opposed, 1 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 2 day of Dec, 1999.

James P. Hale
James P. Hale
Temporary Secretary, Tribal Business Council

ATTEST:

Tex G. Hall
Tex G. Hall
Chairman, Tribal Business Council