



**RESOLUTION OF THE GOVERNING BODY
OF THE
THREE AFFILIATED TRIBES
OF THE
FORT BERTHOLD INDIAN RESERVATION**

A Resolution entitled, "A Declaration that Elderly Disbursements Be Paid From Judgment Funds and/or Income From Tribal Lands"

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 Mandan, Hidatsa, and Arikara Elders Organization serves as an advocate for our Tribal elders and advises the Tribal Business Council on matters concerning our elderly; and

WHEREAS, The Elders Organization has informed the Tribal Business Council that federal agencies such as the Social Security Administration provide benefits to our elders on a "need" basis and are considering per capita payments to our elders as income in determining eligibility for assistance; and

WHEREAS, The Three Affiliated Tribes make disbursements to its Tribal elders from time to time; and

WHEREAS, 25 U.S.C. §§ 1407 & 1408 expressly exclude per capita payments made from judgment funds or income from trust or restricted lands up to \$2,000.00 per year as income for the purpose of determining eligibility for public assistance; and

WHEREAS, The Tribal Business Council desires to confirm that all disbursements to elders shall be made from judgment funds and/or income derived from the Tribe's lands so that disbursements cannot be included as income in determining the eligibility of Tribal elders for public assistance.

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby mandates that all future annuities made to Tribal elders be paid from Docket funds and/or income derived from the Tribe's lands.

BE IT FINALLY RESOLVED, that the Tribal Secretary shall cause a copy of this resolution to be sent to the Social Security Administration Offices serving the six counties located within the exterior boundaries of the Fort Berthold Reservation and be made available to all Tribal members residing off the Reservation.



CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 27th day of May, 2003,

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.

Chairman [] Voting. [] Not Voting.

Dated this 27th day of May, 2003.

ATTEST:

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

Randy Phelan
Executive Secretary, Randy Phelan
Tribal Business Council