

CROW TRIBAL EXECUTIVE COMMITTEE

August 9, 1993

Ms. Ada Deer
Assistant Secretary for Indian Affairs
U.S. Department of the Interior
1849 C Street Northwest
Washington, D.C. 20240

Dear Ms. Deer,

We, the members of the Crow Tribal Executive Committee, would like to take this opportunity to congratulate you on your appointment to Assistant Secretary of the Interior on Indian Affairs. Your appointment has given Native Americans hope of a new beginning for relations between Native Americans and the Department of the Interior. It has also given hope for a new beginning to we, the duly elected members of the Crow Tribal Executive Committee, (see attached signature page) and our constituents, the members of the Crow Tribe in each of our districts.

Your unprecedented record in not only working for, but reestablishing the rights (and existence) of Native Americans has encouraged us in our efforts to bring the Crow Constitution and its Governmental structure into a forum more consistent with that of the U.S. Constitution and more effective in today's world and business environment.

We, the members of the Crow Tribal Executive Committee, as the duly elected and authorized representatives of the members of the Crow Tribe in each of our respective districts, are in the process of developing such a Program for change.

Our Program, which reflects the desires, needs, and goals of our constituents, consists of a combination of the following vital elements:

- updates and revisions to the Crow Constitution, i.e. such as mandatory referendum vote on issues of importance such as treaty issues, water rights, major business development proposals etc.;
- the establishment of an independent constitutional court system, funded through an irrevocable trust fund to insure it's independence;
- empowerment of the Crow Tribal members in each district in the decision making process for the expenditure of funds for not only basic human needs, but also for district infrastructure;
- guarantees of our constitutional and basic human rights;
- the right to due process;
- establishment of a system of checks and balances, including a separation of powers of the executive, legislative, and judicial branches (as provided in the U.S. Constitution);
- and a thorough review of and analysis of our treaty rights upon which our Sovereignty is based.

In essence the Crow Tribal Executive Committee members can quote the Preamble to the Constitution to the U.S. (Ex. "WE THE PEOPLE...") Our goal is for all of us to be able to equally state the Preamble to the Crow Constitution. (Ex. "WE THE CROW PEOPLE...")

As you know, the Crow Nation has abundant natural resources which have not been utilized to our maximum benefit. We have the resources to achieve economic self sufficiency through the carefully structured development of those resources.

We recognize that these are times of economic difficulty in the United States. The Crow Nation can, under the proper structure, develop our own natural resources and become economically self-sufficient, while providing many other socio-economic benefits for ourselves. We do not want to be a financial drain on the U.S. Budget. Under the proper governmental structure, we can provide for ourselves, and contribute to the U.S. economic recovery.

More importantly, our own human resources have not been utilized to our maximum benefit — nor will they be in the foreseeable future — under the current outdated form of government. We are concerned not only with the present, but with the unborn generations who have no say in their future. They will have no future at all, if we, as their guardians, as their TRUSTEES, do not provide for it.

We have listened to these concerns from our constituents, who have expressed their concern about not only the present, but about what will happen to their children, their children's - children, and "all-the-ones-coming." They have placed their trust and faith in us by choosing us as their duly elected representatives to speak on their behalf from each of our respective districts.

Through your accomplishments, you have shown us all that changes can be made through dedicated effort. We therefore place the trust and faith of our constituents in your hands and will dedicate our efforts to work with you on their behalf to bring economic development and governmental stability to the Crow Nation. Thank you.

Sincerely,

Crow Tribal Executive Committee Members
(see attached page)
Attachments:

C: Senate Select Committee on Indian Affairs
Daniel K. Inouye, HI, Chairman
John McCain, AZ, Vice-Chairman
Daniel K. Akaka, HI

Ben Nighthorse Campbell, CO
Thad Cochran, MS
Kent Conrad, ND
Thomas A. Daschle, SD
Dennis DeConcini, AZ
Pete B. Domenici, NM
Byron L. Dorgan, ND
Slade Gorton, WA
Mark O. Hatfield, OR
Nancy Landon Kassebaum, KS
Frank H. Murkowski, AK
Don Nickles, OK
Harry Reid, NV
Paul Simon, IL
Paul Wellstone, MN

Sen. Max Baucus

Sen. Conrad Burns

Rep. Pat Williams

Janet Reno
U.S. Attorney General

Wilma Mankiller
Principal Chief Cherokee Nation

Crow Tribal Executive Committee

Dorsey & Whitney

Council Of Energy Resource Tribes

John Young
Big Horn County News

Greg McCracken
Billings Gazette

Avis Little Eagle
Indian Country Today

Great Falls Tribune

Native American Smoke Signals

The Wall Street Journal

Associated Press

United Press International

20/20

60 Minutes

Primetime Live

48 Hours

Street Stories

Nightline

Dateline

Native American Rights Fund

CRISIS OF THE CROW TRIBE:

HISTORICAL BACKGROUND & SYNOPSIS;

SPECIFIC EXAMPLES & REQUEST FOR MEETING.

HISTORICAL BACKGROUND AND SYNOPSIS

1. This is a plea from duly elected Crow Tribal Executive Committee members — on behalf of our constituents in our Districts — for a new start and a fresh approach to the governmental problems of the Crow Tribe of Indians of Montana. The Bureau of Indian Affairs (BIA) Policy in the past has not produced a viable Tribal Governmental structure. It has produced an economic dictatorship for as long as the Tribal Coal Fund has existed. Buying votes for a bloated Tribal governmental bureaucracy under the patronage system is not working, and will lead to further chaos in the near future.

A change in Governmental Constitutional structure is needed.

2. The Crow Tribal Court system is economically dominated by those persons presently favored by the BIA. Appeals are fruitless since the Tribal Court does not act for fear of losing pay checks — the Court is not independent, it is dependent upon the Tribal Chairperson for their paychecks.

Appeals do not mean much when the BIA funds a very large Tribal payroll, and then indicates it is up to the "Tribal Forum" to resolve issues. He (or she) who has the checkbook controls; as long as the checkbook is there. Meanwhile, the BIA ignored the Tribal Forum in the 1990 election of Ms. Clara Nomee, et al. The Adjudication of this election is still tied up in the Crow Tribal Court.

3. The effect of all this is that the Tribe is not making any progress and is still subject to partisan political battles with both the BIA and the present administration in one corner, and the rest of the Tribe in the other. Energy goes in to political battles which should go to the creation of real jobs, not pay checks in exchange for support.

4. A long needed solution to this problem would be a new, modern governmental system based on democracy; as the Crow People would see it, and this would require a new constitution or dramatic amendments of the existing constitution. This will not occur as long as the BIA supports, with money, the people they recognize as being in office.

SPECIFIC EXAMPLES

We are making this plea for assistance directly to you in a heartfelt attempt to get assistance for our Constituents — the Crow People. We have a desperate situation in Crow Country, and it is not just politics — it is more than that — it is the Governmental Structure of Crow Tribe.

The problem on the Crow Indian Reservation is similar to a major problem of the United States today — the problem of economic instability. This problem should not exist in an area of Indian Country that has the resources to be prosperous, and is not.

We would like to briefly set forth what we are speaking about, and will start with the history of this problem:

1. The Richard Real Bird Chairmanship: 1988-1990

Whatever judgment you may want to put on this term should be softened by some of the things which occurred, but were not given much publicity. We realize that the Crow Tribal Government was hit with the full weight of the BIA), Office of Inspector General, as well as the Justice Department of the United States. This is History. But, what was occurring behind the publicity of these Criminal Court Actions?

The Crow Tribe, in May and June of 1990, appeared in the United States Ninth Circuit Court of Appeals in Portland, Oregon with a proposal from the Crow Tribal Council (which was approved in the previous year by the Tribal Council) to place \$25 Million in a Fifty (50) year Trust Investment Fund, with the BIA to be Co-Trustee, and with a private Blue Chip Banking Organization as the other Trustee. This large sum of money could have been invested in 30 year Federal Securities, which were producing 10% to 12 % income at that time. The BIA took the position that it could handle the fund for the long term benefit of the Tribe, and appeared in court to resist the proposal to place these funds in the 50 year Trust Investment Fund. The BIA argued that the Tribe did not have the expertise to manage these funds, and that the BIA must, of necessity, do this for them. The Tribal response was that the Fund would be held in a Trust, and as

far as current income was concerned, it had established an accounting system under contract with a Private Certified Public Accountant, who was, in turn, reporting to the BIA - Billings Area Director and the BIA - Billings Finance Officer. The Crow Tribe itself had 108 employees at that time, and was constantly subject to criticism by the BIA for having so many employees. One of the charges filed against the Tribal Officials was they were buying votes with their \$1.5 Million Annual Budget and 108 employees. (Today, the proposed budget is \$8.8 Million, with 710 employees; see attachment G) What possible justification can there be for the BIA - Billings Area Director refusing a \$5.5 Million budget and forcing a reduction to \$1.5 Million, then one year later approving a budget of approximately \$10 Million. We need to answer this question to our Constituents.

Ms. Clara Nomee, upon being recognized by the B.I.A. - Billings Area office, dismissed the appeal in the Ninth Circuit Court and abandoned the Trust Fund.

2. Clara Nomee Chairmanship: July, 1990 to present

In Early July, 1990, the Tribal Forum established for this purpose (the Crow Tribal Election Committee) had not Certified the election of Ms. Clara Nomee and her slate of Officers, and had, in fact, held a new election in which Tyrone Ten Bear was elected as Chairman. The BIA nonetheless blithely ignored the ruling of the Tribal Election Committee and proceeded to disburse large sums of money to Ms. Nomee. Upon appeal of these matters, we have been told that the "Tribal Forum is Controlling," and the BIA cannot be involved in purely Crow Tribal decisions. Is this a Catch 22? Not really, it is blatant interference with Tribal Government. The BIA people chose to ignore the Tribal Forum, in this case, the duly constituted Election Committee.

Ms. Nomee then proceeded to "staff up." The BIA reversed its position that 108 employees were too many, and dropped their objection that 108 employees consisted of buying votes. Now it was "Good Government" to have 710 Tribal Employees and to have an annual budget of \$9 to \$12 Million when the BIA, before Ms. Nomee came into office, said \$1.5 Million a year was plenty to run the Tribal Government. Also, Nomee Tribal Employees have been and still are required to attend the quarterly Tribal Council Meetings, signing in or they

don't receive their paychecks or they lose their jobs. As an example, the issuance of pay checks was made just after the April 10, 1993 Tribal Council Meeting. With all of this money, and with the full support of the BIA, not one job producing project has been produced on the Crow Indian Reservation. About all that has happened is that the Tribal Government is now bloated beyond belief with "buy vote" jobs.

During the previous administration of the Tribe from 1988 to 1990, the Certified Public Accountant Firm made monthly accounting reports to the BIA and to the membership of the Tribe. The reports ceased when the Nomee Administration took office, even though they continued the practice of using the services of a C.P.A. firm to handle the accounting. Freedom of Information Act (FOIA) requests have been made to the BIA - Crow Agency and the BIA - Billings offices, with the result that one would assume that no accounting records from the Tribe have been given to the BIA — since none were supplied in response to the FOIA requests. This must mean that the BIA does not have an accounting of Tribal Funds, or they are withholding that information for some reason. Past requests for an accounting report from the Crow Tribal Administration office have not produced any results. Why then, did Richard C. Whitesell, BIA - Billings Area Director, send the December 13, 1990 letter to Clara Nomee stating that "These reports will be available to all elected officials and the executive committee members." if we cannot get them? (See attachment E) We, the Crow Tribal Executive Committee, have not received those financial reports mandated in the letter.

We were able to obtain a series of letters from the BIA - Billings Area office to the BIA - Crow Agency office, which indicates that the \$32 Million in the Tribal Accounts as of July 1990, will have been dissipated by October 1, 1993. This is the same fund that would have supplied \$25 Million for the Fifty Year Trust Fund.

Ms. Nomee, in her first Tribal Council Meeting, passed Resolution #90-35 (see Attachment I) which is a grant of near Dictatorial Powers to her. This Resolution has been used by her to enter into far reaching contracts with the State of Montana, as well as other organizations. This Resolution is unconstitutional, in that the Crow Tribal Council, consisting of the adult

members of the Tribe, reserved unto itself all decision making processes. Resolution #90-35 transfers blanket authority to Ms. Nomee, and therefore we protest #90-35 as unconstitutional. The issue of Res. #90-35 was also discussed in the letter from John Pereau, Superintendent BIA - Crow Agency to Clara Nomee, dated August 13, 1990 (see attachment J) in which he states to her ... "the gist of the Resolution appears contradictory to numerous previous council actions and tribal court rulings." (See Attached Constitution and By-Laws of the Crow Tribal Council Article VIII, Section I, "This Constitution and Bylaws shall be amended by a majority vote of the qualified voters of the Crow Tribe voting at an election called for that purpose by the tribal council...", which was never adhered to; attachment H).

You may ask, why not appeal? We have, and we continue to run into a situation in the Crow Tribal Court where Resolution #90-35 gives her the authority to hire and fire Personnel and Judges to this Court, who are then subject to losing their jobs if they "cross" her in any way. A case was filed in 1990 to contest the validity of the 1990 Election, and this is still in limbo and has not been heard. Appeals to the BIA produce long periods of silence, usually followed by a response saying that "the Tribal Forum" must decide and, we say, what caused the BIA to ignore this rule in 1990 when it gave the checkbook to Ms. Nomee when the "Tribal Forum" had decided that she was not elected, and a new election had been held?

To sum it up — what we now have is a bloated Tribal Government totally beholden to Ms. Nomee, with the Tribe spending much more than it's annual income, which has resulted in the loss of the \$32 Million Fund that was there 3.5 years ago with no accounting by the Tribe or the BIA. The result has to be that the Tribe is heading for an economic ruin, with no funds in the Treasury. Surely this is not a solution to the Crow Tribal Governmental dilemma, and is not a Judicious Administration of the Federal duty of Trust responsibility to the Crow People.

The purported chairperson also approved the minutes of the meeting for the Plan of Operation for the Crow Tribal Executive Committee as evidenced by the attached — but, did not sign the Resolution nor implement the Plan of Operation as unanimously approved at the quarterly Tribal Council (a "Tribal Forum"). This is another blatant attempt by the Nomee administration to retain her sole dictatorial power. Where is the signed copy of the Resolution unanimously approving the

“establishment of and adopting a declaration of policies and Plan of Operation” for the Crow Tribal Executive Committee (see attachment K)? The Crow Tribal Executive Committee was originally authorized by the Crow Constitution, and subsequently reinforced by numerous Council Actions — most of which have been ignored by the Nomee Administration.

We hereby request that you assist us in resolving these matters. We therefore request a meeting with you as soon as possible to discuss the resolution of these matters:

1. Constitutional Amendment: We firmly believe that we need a new Constitution to bring good Democratic Government to the Crow People, and call upon you for assistance to accomplish this. (Attachment F, Article 7, Section 4)
2. Fiscal Responsibility and Disclosure: In the interim, we would like to have you take steps to cause a return to sensible administration of Tribal Funds. The United States, as Trustee, has a lot of responsibility in this area. An accounting of funds spent by the Ms. Clara Nomee group should be, and must be, made public for review by the whole membership of the Crow Tribe. As stated in Resolution 203 (See attachment C), and its amendments, a letter from BIA — Billings Area Director, Richard C. Whitesell, to then Crow Tribal Chairman, Donald Stewart, dated February 12, 1985 (See attachment D) and again in a letter to Crow Tribal Chairman, Clara Nomee, dated December 13, 1990, and the accountants Contract dated June 1, 1992. (See Attachment D). The Crow People have the right to view the expenditures and income of the Tribe. We have been “stone-walled” at every point by inaction and silence from the BIA, acting as Trustee, and by the people in the Tribal Administration office. We hereby request that you instruct the Tribal Administration and the BIA to release a complete, audited accounting data report, prepared by a certified

Public Accountant in accordance with Generally Accepted Accounting Procedures (GAAP), that will allow the Crow people to ascertain how their money has been, and is being spent. We hereby request publication of this information in the same manner as other Governments, such as the counties in this State, are required to do.

Sincerely,

Crow Tribal Executive Committee Members
(see attached page)

Contact Person: Marla Fritzler
Off-Reservation District Representative
Crow Tribal Executive Committee

9320 Pryor Star Route

Billings, MT 59101

PH# (406) 248-6807 work morning
 (406) 256-7420 work afternoon
 (406) 259-6342 home

CROW TRIBAL EXECUTIVE COMMITTEE

To Ms. Ada Deer, U.S. Assistant Secretary of the Interior for Indian Affairs

We, the duly elected undersigned members of the Crow Tribal Executive Committee, and on behalf of the Crow Tribal Members in our districts whom we represent, protest the excessive and unaccounted for spending of the Funds of the Crow Tribe by the current Tribal Administration. Further, we protest the unconstitutional Executive Order Resolution #90-35, and other violations of our Treaties, our Sovereignty, and our basic human rights. We hereby request a meeting with you in order to discuss these and other crucial issues for the Crow Tribe which are not being addressed by the current Tribal Administration. Thank you.

EXECUTIVE COMMITTEE OF THE CROW TRIBE

Name	Address	Phone #
1. Dennis Beaumont	Box 265 Pryor, MT 59066	(406) 259-3947
2. Sylvester Pouchard	Box 204 Pryor, MT 59066	248-2678
3. Marla Richter	1125 Maggie Ln. Big Mt. 59101	406-259-634
4. Thelma H. H. H.	Box 452 Crow Agency, MT	406-638-2388
5. Helena W. W.	Box 138-Crow Agency MT	638-7259
6. Victor W. W.	Box 100 Crow Agency MT	59050
7. Karen Sue Lakes Harre	Bx 171 Wyo. Mt.	59039
8.		
9.		
10.		
11.		
12.		
13.		
14.		

ATTACHMENT - B

WRITTEN NOTICE OF PROTEST TO CERTAIN ACTIONS PROPOSED ON THE
AGENDA FOR THE JULY 10, 1993 SESSION OF THE CROW TRIBAL COUNCIL.

SUBMITTED BY: Marla Fritzler, COUNCIL MEMBER.
MARLA FRITZLER
1125 MAGGIE LANE
BILLINGS, MT 59101

"BASED UPON THE CROW TRIBAL CONSTITUTION & BYLAWS AT VARIOUS
SECTIONS, AS WELL AS OTHER APPLICABLE LAWS, INCLUDING RESOLUTIONS
AND ORDINANCES OF THE CROW TRIBAL COUNCIL, I HEREBY RESPECTFULLY
GIVE NOTICE THAT I AM PROTESTING CERTAIN ACTIONS OF THIS SESSION
OF THE CROW TRIBAL COUNCIL THAT ARE PROPOSED IN RESOLUTIONS ON
THE AGENDA LISTED AS ITEMS #3, #6, and #7. THESE RESOLUTIONS
CONTAIN LANGUAGE AND PROPOSED ACTIVITY BY THE PRESENT CROW TRIBAL
ADMINISTRATION THAT ARE CLEARLY IN VIOLATION OF THE RIGHTS AND
PROTECTIONS OF THE CROW TRIBAL CONSTITUTION & BYLAWS AND OTHER
APPLICABLE LAWS OF THE CROW TRIBE RELATING TO CROW TRIBAL TRUST
ASSETS.

"I WILL FOLLOW THIS WRITTEN NOTICE UP WITH A MORE DETAILED AND
SPECIFIC WRITTEN COMPLAINT AND PROTEST TO BE FILED AFTER THIS
TRIBAL COUNCIL SESSION IS ADJOURNED AND I HAVE AN OPPORTUNITY
TO REVIEW THE MINUTES OF THE COUNCIL MEETING."

CONCURRENCE OF PROTEST ACTION, BY CROW TRIBAL EXECUTIVE AUTHORITY
MEMBERS:

<u>Sylvester Goes ahead</u>	<u>Dennis Beaumont</u>
<u>Marla Fritzler</u>	<u>Victor Dyer Sr.</u>
<u>Karen Sue Lake Harre</u>	<u>Wanda W. W. W.</u>
<u>[Signature]</u>	<u>_____</u>

ATTACHMENT - C

A RESOLUTION OF THE CROW TRIBAL COUNCIL TO
AMEND AND RE-AFFIRM RESOLUTION NO. 203

Whereas a formal plan is needed to alleviate the duplication of delivering vital program services by the Crow Tribe and the various agencies for better coordination and planning for the use of all income received for the benefit of the Crow Tribal members,

Whereas, the federal government has provided the management mechanism to administer and supervise certain program operations as a part of its trust responsibility, namely, the Bureau of Indian Affairs and the Indian Public Health Service.

Whereas, The Crow Tribe also has administrative and supervisory responsibilities for certain program operations which may duplicate services administered by the other agencies,

Whereas, all income from tribal resources and/or grant and contracts received by the Crow Tribe and the various federal agencies, both direct and indirect, are to be used for the expressed benefit of the Crow Tribe and its members,

Whereas, there is a need and desire to establish an instrument to plan and prioritize the use of said funds for orderly management and administration of all budgets and programs,

Now therefore Be It Resolved, that the Crow Tribal Chairman and Committees shall be the official designated entities to carry out the policies and priorities of the Crow Tribal Council to work directly with the Bureau of Indian Affairs and the Indian Public Health Service for the coordination of program services and operations in order to alleviate the duplication of administrative activities,

Be It Further Resolved that, the Bureau of Indian Affairs, Superintendent is hereby authorized to supervise all the programs that are identified with the federal government and other operations that are related to the existing programs that the BIA administers, adopting BIA organizational structure and related guidelines for the administrative and program operations of the Crow Tribe.

Be It Further resolved that a Management and Budget Committee be established by this Crow Tribal Council whose basic responsibility and authority shall be to manage budget and program operations, Contracting and Procurement, Fiscal and personnel operations, to include but not limited to all personnel selections,

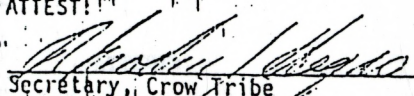
Be It Further Resolved that, the Management and Budget Committee and the Executive Committee shall prepare specific job descriptions for all employees of the Crow Tribe at the next Quarterly Council meeting.

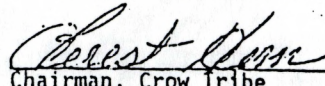
Be It Further Resolved, that all employees of the Crow Tribe shall strictly adhere to the provisions of this resolution and plan of operations; the penalties for non-compliance will be dealt with by the Crow Tribal Council at the next regularly scheduled meeting following the incident of non-compliance by any individual or . . . The non-compliance action will be reported to the Executive Committee prior to the above mention Tribal Council meeting by the Management and Budget Committee.

Be it Further Resolved, that the following resolutions are rescinded, to the extent that their provisions are in conflict with this resolution and plan of operations, namely the authority to sign all grants and contracts, which will be conveyed to the Management and Budget Committee with final approval by the Crow Tribal Council Chairman.

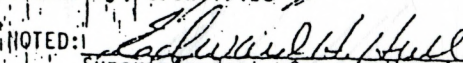
PASSED, ADOPTED AND APPROVED on 11 April 1981.

ATTEST:


Secretary, Crow Tribe


Chairman, Crow Tribe

NOTED:


Superintendent, Crow Indian Agency

Be It Further Resolved that the Management and Budget Committee will comprise of the present Advisory Board members as was selected by the present Crow Tribal Chairman.

RESOLUTION NO. 81-15

A RESOLUTION TO PROVIDE FOR THE AMENDMENT OF CROW TRIBAL RESOLUTION NO. 203, ADOPTING A PLAN OF OPERATION OF THE CROW TRIBAL COUNCIL, BY SETTING OUT THE DUTIES OF THE CROW TRIBAL CHAIRMAN, AND THE DUTIES OF THE VICE-SECRETARY, AND OTHERS.

WHEREAS, Crow Tribal Resolution No. 203 was passed by the Crow Tribal Council on May 2, 1979; and

WHEREAS, it is considered necessary to set forth the duties of the Crow Tribal Chairman, and others, in view of the recent disaster resulting from the decision of the U. S. Supreme Court in the Big Horn River case; and

WHEREAS, The Crow Tribal constitution provides that the Council shall establish its own rules of procedure, (Article VI, No. 1), and that the decisions of the Council are made by a simple majority of the votes cast, (Article VI, No. 6), and that the Council of the Crow Tribe is the voice of the Crow Tribe and the medium through which the Crow Tribe speaks, (Article VII, No. 1), and these powers have been upheld by a decision of the Ninth Circuit Court of Appeals, and so,

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 203, and any other resolutions of the Crow Tribal Council pertinent thereto are amended by the inclusion of the following:

1. That the Crow Tribal Council does hereby cancel and annul any and all powers, authorities and duties of the present Crow Tribal Chairman, Mr. Forest Horn, and does declare that from and after this date, Mr. Forest Horn shall be required to cease in the exercising of any such powers, authorities and duties until further action of this Council. The terms "powers, authorities, and duties" shall mean any such powers, authorities, and duties granted to the Chairman by any previous ordinance, resolution or action of the Crow Tribal Council. Provided, however, that Mr. Forest Horn shall receive one-half of the salary that he has previously been receiving as Chairman.

2. That the Crow Tribal Council orders that immediately upon the adoption of this resolution the Crow Tribal Council does appoint Donald Stewart Crow Tribal Vice-Chairman to act as Temporary Chairman until July 1, 1982, and the Crow Tribal Council hereby authorizes Vice-Chairman while acting as Temporary Chairman to execute any and all powers, authorities and duties previously exercised by the Chairman, Forest Horn, and said Temporary Chairman shall receive the same full salary that Chairman Horn received.

3. That immediately upon the adoption of this resolution the Crow Tribal Council does hereby appoint _____ to act as temporary Vice-Chairman until July 1, 1982, and the Crow Tribal Council hereby authorizes the said appointed Vice-Chairman to execute any and all powers, authorities and duties previously exercised by the Vice-Chairman, Donald Stewart, and the said appointed Vice-Chairman shall receive the same full salary that Vice-Chairman Donald Stewart received.

PASSED, APPROVED AND ADOPTED by Unanimous votes for and no votes against this // day of April 1981.

ATTEST:

Thelore J. Hogan
Thelore J. Hogan, Secretary
Crow Tribal Council

NOTED:

Edward H. Hall
Edward H. Hall
Superintendent, Crow Indian Agency

Forest Horn
Forest Horn, Chairman
Crow Tribal Council

RESOLUTION NO. 61 - 27

WHEREAS, on May 2, 1959, the Crow Tribal Council by unanimous vote adopted Resolution No. 203, entitled "A Resolution of the Crow Tribal Council Adopting a Plan of Operation" and,

WHEREAS, there is no provision within the said plan authorizing a duly elected tribal official to create obligations and certify and/or approve payments of such obligations, claims or other proper indebtednesses from allotted tribal program fund and

WHEREAS, no other formal authority exists and such functions are now being informally accomplished by undelegated persons as a result of custom, and

WHEREAS, such authority and responsibility should exist in the best interests of budget control and effective program operation...

NOW, THEREFORE, Be it resolved by the Crow Tribal Council that the said plan of operation adopted by Resolution No. 203 is hereby amended to authorize and include under Section D. TRIBAL ACCOUNTS, an additional item to be numbered "6" which will read: The Tribal Council Chairman or in his absence, the Tribal Council Secretary, shall be responsible for preparing obligations, and certifying and/or otherwise approving all documents for payment other than those for which provision otherwise exists. Such authority is limited to create and/or incur obligations to the extent of budgeting or other regulatory provisions and to authorize payments of such obligations, claims or other tribal indebtednesses accordingly.

PASSED, ADOPTED AND APPROVED by the Crow Tribal Council, this 3rd day of December, A. D. 1960, by unanimous vote for passage, adoption and approval and no votes against passage, adoption and approval.

APPROVE:

John B. G...
Chairman, Crow Tribal Council

Arli W. Whetman
Secretary, Crow Tribal Council

I recommend _____

I do not recommend _____

Superintendent, Crow Indian Reservation

THE ABOVE RESOLUTION NO. 61-27 ADOPTE 12.3.60
IT HEREBY APPROVED UNITED STATES DEPARTMENT OF THE INTERIOR
FOR THE LAND AND NATURAL RESOURCES DIVISION
AND UNDER NO. OF. ... AS OF ...
Sgd. Reinhold Briss
Assistant

DEC 15 1960

A RESOLUTION OF THE CROW TRIBAL COUNCIL ADOPTING A PLAN OF OPERATION

WHEREAS, it is necessary that the Crow Tribal Council adopt a plan of operations, and

WHEREAS, the Crow Tribe Plan of Operation hereinafter set forth has been duly considered by the Crow Tribal Council;

BE IT RESOLVED that the Crow Tribal Council does hereby adopt the following Crow Tribe Plan of Operation as the Plan of Operation for the Crow Tribe, to-wit:

CROW TRIBE

PLAN OF OPERATION

- A. General
- B. Budget Preparation
- C. Budget Management
- D. Tribal Accounts
- E. Functions
 - 1. Tribal Government
 - 2. Community Services
 - 3. Resources, Management
 - 4. Capital Additions
 - 5. Equipment
- F. Revenues
- G. Personnel
- H. Audits

A. GENERAL

1. A permanent authorization of Crow Tribal Funds is provided in P.L. 718-74th Congress, Approved on June 20, 1936. Crow Tribal funds are disbursed as approved by the Crow Tribal Council and the Secretary of the Interior or by his representative.
2. Budgets are developed and administered on a fiscal year accountability basis.
3. Budgets are prepared and administered in accordance with requirements of the Crow Tribal Constitution and By-Laws (and amendments thereto) and applicable governmental regulations and/or laws.
4. Budget objectives shall be to provide the most efficient service by the most economical means consistent with the needs and desires of the Crow Tribe.

B. BUDGET PREPARATION

1. A general program format shall be executed each fiscal year as a take-off from the approved Annual Tribal Budget or other authorizations.
2. Budget preparations will be based on and limited to the most accurate estimates of available and eligible funds for each fiscal year.
3. All proposed budget requests will be reviewed and analyzed by a Tribal Budget Committee prior to presentation to the Council for final action at a regular session meetings.

C. BUDGET MANAGEMENT

1. All programs will be executed in accordance with original plans consistent with current needs. Any proposed changes, adjustments or modifications will be made by resolution action with appropriate Tribal Council concurrence.

2. Funds are to be strictly administered. Subsidiary records will be maintained in sufficient detail for management, budgetary control and reporting purposes. See D-TRIBAL ACCOUNTS.
3. "Applied" funds are monies contained in and disbursed from the Regional Disbursing Office and administered through the Area Office. All Disbursements are to be effected through and conform the procedures established for expending Government funds. "Advanced" funds are those monies transferred from "Applied" status to either the Agency (ISSDA) or to a commercial depository and disbursed locally.
4. "Advanced" funds are to be banked in the Agency ISSD accounts until such time a bonded treasurer is established and any other governmental requirements complied with to enable the use of commercial depositories. Such funds are to be requested by the execution of Form 1034. Disbursements from the ISSDA will be made pursuant to an executed SF-139b.
5. "Applied" funds will be used only for those purposes where it is not convenient to administer programs from "Advanced" status, where Civil Service employees are involved or when otherwise stipulated by plans and/or agreements.
6. Monthly operating statements will be issued and the contents are to be made available to any enrolled Crow tribal member at reasonable times.
7. Any unexpended balances at the end of a budget year will be applied to the succeeding year's budget needs and fund requests for the succeeding year's budget will take into consideration local operating needs which arise at a change of a fiscal year.

D. TRIBAL ACCOUNTS

1. Accounting System

a. An acceptable accounting system shall be maintained clearly showing all credits, debits and other necessary detailed information. All entries and transactions shall be supported by properly completed documents.

2. Purchases

Procurement of miscellaneous items will be made by the issuance of a memorandum on a single purchase basis. Procurement of filling station items will be made upon a formal authorization to local dealers.

3. Travel Orders

TO's will be issued by modification of Government Form DI 1020, to authorized tribal representatives.

4. Payment Vouchers

A tribal voucher form will be used in liquidating legitimate Tribal Obligations. Payments to committee members will be by use of Government Voucher SF 1012.

5. Time Sheets and Payrolls

Time sheets will be executed on Government SF1130. The payroll will be drawn up and certified by the Tribal Clerk on SF 1128a, and paid on a bi-weekly basis.

E. FUNCTIONS

1. Tribal Government

a. Tribal Council Officers. (1) This group consists of a Chairman, Vice-Chairman, Secretary and Vice-Secretary to be assisted by an Accounting Clerk (part-time). Each official will be paid an annual salary as established in each year's approved budget. Payments to be made bi-weekly conforming to procedures applying to Civil Service employees. These officials will act upon budgetary matters to the extent of

b. Tribal Delegates and Appointed Committees. (1) Delegates are selected by Council action to represent the Tribe at various governmental and other organizational meetings and gatherings. Such officials are paid a daily salary, per diem and transportation costs as provided for in Article I, Section 9 of the By-Laws. (2) Appointed Committees are established for the purpose of administering and otherwise conducting the business as authorized for Enrollment, Welfare, Law and Order, Land and Mineral Resources, Health and Education, Constitution and By-Laws, Budgets and the Buffalo Hard activities as provided for in each year's budget. Salary payments are related costs (travel, per diem and mileage) are to be paid in accordance with scales and schedules established legislatively by the Council. (3) Payments to Delegates and Committee Members for any purpose will not exceed the amounts budgeted and approved for the respective programs and/or activity they are serving.

c. Tribal Attorney and Legal Services. (1) Amounts budgeted for this function are to provide for such services required by the Crow Tribe to effectively conduct their business. Employment of temporary hiring of such representatives will conform to criteria and qualification requirement established by law or otherwise. (2) Vouchers are to be presented by claimants and are to be audited and approved by the Billings Area Office prior to payment from "Advanced" funds at the Agency.

d. Tribal Projects. (1) Such projects as Crow Fair, 4-H Club Camps and Achievement Days and Buffalo Hard will be budgeted and consistent with the needs and benefits derived therefrom to the extent they service the morale and well-being of members of the Tribe.

e. Contingency Account. This account is to be used for unforeseen and emergency purposes and to subsidize depleted operational accounts when so needed. Charges may be made directly to this account.

2. Community Services

All subsidiary activities conforming to the Bureau of Indian Affairs appropriation schedule will be embraced under this heading.

3. Resources, Management

All subsidiary activities conforming to the Bureau of Indian Affairs appropriation schedule will be embraced under this heading.

4. Capital Additions

This heading will include all operating accounts not classified under Tribal Government, Community Services and Resources, Management. This includes Fixed Properties (Capital Additions) items such as Land Purchases and Construction (new).

5. Equipment

a. Equipment will be programmed to the appropriate general function (Tribal Government, Community Services and Resources, Management). The supporting narrative will identify equipment with the subsidiary activity together with the purpose, need and other pertinent information that justifies the programming.

b. A suitable system of records will be maintained in order to insure property control and ownership. Inventory will be taken periodically to insure physical possession of all equipment.

1. All tribal income (except Court Fines) are paid directly into the Crow Agency Office. Such income is then transferred to the account of the Crow Tribe in the United States Treasury. These funds are allotted only for approved programs purposes under 2631-Permanent authorization.

2. Court fines may be collected by the bonded Court Clerk and deposited to account C-138, Court Fines, Crow Indians. Such revenues are not subject to the budget and programming procedures governing all other revenues as established by this Plan of Operation, but are subject to 25 CFA 11.37.

G. PERSONNEL

1. Applied Funds Accounts

a. Employees financed from such funds will be employed through Civil Service procedures and thereafter subject to rules and regulations governing such employees.

2. Advanced Funds Accounts

a. Employees financed from these funds will be employed through procedures and policies established for such employees. Application are to be made on SF 57. Positive employment is covered by a Tribal Employment Agreement.

H. AUDITS

1. Periodic audits by the Bureau of Indian Affairs are authorized.

2. In the event funds are transferred to commercial depositories and disbursed therefrom, reputable commercial auditors will be periodically employed for the purpose of securing audit reports and advisory recommendations. Copies of audits are to be made available to the Superintendent, Area Director and Commissioner.

PASSED, ADOPTED AND APPROVED by the Crow Tribal Council by unanimous votes for adoption and no votes against adoption of this Resolution this 2nd day of May, A. D. 1959.

Edward P. Whitman

EDWARD P. WHITEMAN
Chairman, Crow Tribal Council.

ATTEST:

William C. Wall
WILLIAM C. WALL
Secretary, Crow Tribal Council.

I recommend *W.C.W.*

~~I do not recommend~~

Clyde W. Hobbs
CLYDE W. HOBBS
Superintendent, Crow Indian Agency.

202 5/2/59
(Sgd) Reinhold Bruff
Assistant

MAY 20 1959

ATTACHMENT - D

ADMINISTRATIVELY RESTRICTED



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS

BILLINGS AREA OFFICE
316 NORTH 26TH ST.
BILLINGS, MONTANA 59101

IN REPLY REFER TO:

Area Director's Office
Code 100

FEB 12 1985

Through: Superintendent, Crow Agency

Mr. Donald Stewart

Chairman, Crow Tribe

Dear Mr. Stewart:

I am in receipt of the Superintendent's transmittal of minutes, correspondence and recommendations of February 6, 1985.

I, along with the Superintendent, have looked optimistically to each new council to address the issues at hand and to begin making progress in the huge task of bringing viable economic options to the membership for their consideration. We are deeply disappointed that this has not occurred.

We had hoped that this new tribal administration would begin the process of attempting to bring stability and cohesiveness to the tribal government and that some progress be noted in the improvement of the internal administrative functions.

Needless to say, the events that occurred at the January council, and the day-to-day controversy that has prevailed since has once again led to turmoil and confusion.

Among my immediate and most pressing concerns is the lack of an approved tribal budget and the absence of control over obligations. We cannot and will not allow the tribe to reverse the progress that has been made following the Inspector General's Audit of 1981.

Therefore, effective Monday, February 11, 1985, I am, in line with our earlier discussions on this matter, appointing an administrative manager to supervise all tribal administrative activities at Crow Agency. The administrative manager will have the following specific duties:

1. Act as comptroller to insure that tribal funds are spent only for the purposes for which they are authorized.
2. To oversee centralized accounting to insure the integrity of Federal contract and grant activities.

3. To implement Crow Tribal Resolution No. 203, as amended with particular emphasis on the installation and enforcement of procedures essential to the integrity of the funds management and accounting processes and to the reporting system.

The administrative manager will report directly to the Agency Superintendent and will continue in this role in line with the terms of the understanding reached between you and I in our communications of August 30 and October 5, 1984.

It is my intention that the duties and responsibilities assumed by the Bureau last fall will be addressed in the required manner consistent with the requirements of Crow Resolution No. 203, the Crow Constitution and By-Laws and our trust responsibilities.

We will not involve the Bureau in the disputes surrounding Resolution Nos. 85-5 and 85-6 from the October 1985 council and the minutes of the January 1985 council. These questions are left to the tribe to resolve in its own forums.

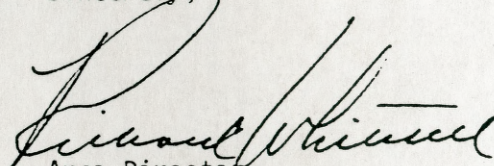
All actions involving these activities for which we are responsible and for which the administrative manager has been assigned, will be processed in account with procedures established in Resolution No. 203 as amended.

We will look to the Tribal Chairman for the required authorizing signature before disbursement is approved by the Superintendent on the basis of recommendations from the administrative manager. Again, all obligations and disbursements must be within the terms of the budget enacted by the tribal council and approved by the Bureau.

In every sense, the actions taken here are intended to support and strengthen your and my joint effort toward fulfilling our respective responsibilities to the Crow Tribal membership.

Your assistance is deeply appreciated.

Sincerely,


Area Director

ATTACHMENT - E

2

7. Excess expenditures will be withheld from the next month's request and will not be advanced until

Accounting

Code 230

DEC 13 1990

DEC 14 1990

CROW INDIAN AGENCY
CROW AGENCY, LT 59022

Through: Superintendent, Crow Agency

Clara Nomee, Madam Chairman

Crow Tribal Council

Dear Ms. Nomee:

In order to have a clear understanding of conditions required to receive drawdowns of Crow Tribal Trust funds, I need your signature agreeing to the following conditions:

1. The Crow Tribe will submit a detailed line item budget for the approved "Operations Budget" for each fiscal year.
2. The Crow Tribe will hire a certified public accounting firm to handle their trust funds, and to establish a permanent accounting system for the tribe.
3. The drawdown requests must contain a breakdown according to cash flow referencing the budget line item.
 - A. The tribe will expect to receive the funds requested from the Billings Area Office, Bureau of Indian Affairs, in a timely fashion, and not later than 2 weeks after the request has been received by the Billings Area Office, Bureau of Indian Affairs.
4. All records of obligation and disbursement will be properly maintained, and will be available for review by the Bureau of Indian Affairs upon request.
5. A separate bank account will be used for these trust funds only. It will require two signatures, one from the tribal chairman, tribal secretary, or vice chairman, and one from the tribal accounting firm. The tribal accounting firm will prepare all checks for proper signatures.
6. Effective November 30, 1990, all travel vouchers, purchase orders, and timesheets must be approved by the Agency Superintendent or his representative before the checks are signed.

7. Exception to expenditures will be withheld from the next month's drawdown request and will not be advanced until corrected.

8. Financial statements of expenditures and receipts will be submitted by the 20th of the month for the previous month's operations. A statement of cash expenditures will also be submitted along with a summary of expenditures which match the budget line items. These reports will be available to all elected officials and executive committee members.

9. The Crow Tribe still has some outstanding tribal debts to deal with. A Debt Retirement Committee will be appointed to resolve the debts.

Sincerely,

/s/ RICHARD C. WHITESELL

Area Director

Crow Tribe of Indians

By: Clara Nomee
Clara Nomee, Madam Chairman
Crow Tribal Council

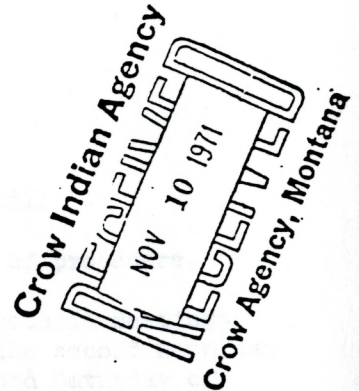
Crow Indian Agency

By: John J. V. Pereau
John J. V. Pereau
Superintendent, Crow Agency

cc: Superintendent, Crow Agency

ATTACHMENT - F

CONSTITUTION AND BYLAWS
of the
CROW TRIBAL COUNCIL



PREAMBLE

The Crow Tribe of Indians, in an effort to enforce the respect of their basic human, constitutional and treaty rights, do hereby re-establish the Crow Tribal Council to represent, act and speak for the Crow Tribe in any and all tribal matters, and to promote the general welfare of the Crow Tribe, do adopt the following constitution and bylaws for the conduct of Crow Tribal matters in conjunction with the lawful right of the Bureau of Indian Affairs to conduct same.

Article I

The Crow Tribal Council shall be composed of the entire membership of the Crow Tribe.

Article II

The council shall elect every two (2) years, in conformity to its rules of procedure, a Chairman, Vice-Chairman, Secretary and Vice-Secretary. The Chairman shall have no vote unless there be a tie vote before the council. The election for these officers shall be held the second Saturday of May every other year after May 12, then the first election shall be held under this constitutional change. Officials are to assume their duties July 1, after election.

Article III

Any duly enrolled member of the Crow Tribe, except as herein provided, shall be entitled to engage in the deliberations and voting of the council, provided the females are 18 years old and the males 21 years.

Article IV

All nominations for officers of the council and any other tribal matter before the council shall be by voice, standing, hand-raising or secret ballot, as the council shall elect at each of its meetings.

Article V

The Crow Tribe, through its tribal council, reserves unto itself the right to remove for cause any officer of the council, for misconduct or negligence or non-diligence in connection with the protection of the rights of the Crow Tribe in its relations with the Bureau of Indian Affairs or the local employees.

Article VI

The Powers, Duties, and Functions of the Council:

1. The council shall establish its own rules of procedure.
2. Meetings. There shall be regular tribal council meetings held each year on the second Saturday of January, the second Saturday of April, the second Saturday of July, and the second Saturday of October, and as many additional meetings shall be held as tribal business may require. All meetings shall be called by the Chairman and the Committee.
3. Notice of meetings and agendas. It shall be the duty of the Secretary, or in his absence, the Vice-Secretary of the Crow Tribal Council to give notice of all tribal council meetings of the Crow Tribe in writing for a period of at least seven days prior to each meeting date. Notices shall be posted at one public place in each district of the reservation, and at the Agency Headquarters, and, where possible, in the local newspapers and by radio broadcast. Notices in addition to the date, time and place of the meeting, shall list in numerical order the business to come before the tribal council meeting. No business shall be transacted at the meeting unless it has been included in the public notice. Copies of proposed resolutions or other business to be considered shall be furnished to the elected district representatives by the Tribal Secretary seven (7) days prior to meeting dates.
4. Items of business. Agenda of the tribal council meeting shall include all items required by the (1) Tribal Chairman and committee, (2) Superintendent of the Crow Agency, and (3) any petition duly signed by 100 qualified voters. All requests to the Chairman and committee for a general council meeting shall be in writing and shall clearly state the nature of the business to be presented before the general council.
5. If the Commissioner of Indian Affairs desires to present any matter to the council for its action, such request shall be presented in writing to the Chairman or the committee, who shall as herein provided, advertise such request as provided, and set the date for the council sessions.
6. Except where otherwise specified in this constitution and bylaws, decisions of the council shall be by a simple majority of the vote cast.
7. The council shall perform the duties assigned to it under this constitution and bylaws and shall have such powers in addition to those expressly conferred on it thereunder as may be necessary to achieve its effective operation and to realize its objective.

8. All matters presented and coming before the Crow Tribal Council to be voted upon by the members of the Crow Tribe shall be decided and determined by a simple majority vote.

9. There shall be a committee composed of two (2) members from each of the Six Districts of the Crow Reservation and two (2) members from off-the-reservation Indians elected for a term of two (2) years, in accordance with the tribal council's rules of procedure, to act as an executive committee to work with the officers under the general direction of the council. The first election of these committee members shall be held within 30 days from and after adoption of this constitutional amendment, and all subsequent elections to be held the second Saturday of the month of May at 2-year intervals on alternate years from the tribal officials election. Each district shall select its own election judges from within said district whose expenses shall be paid from tribal funds. The results of such elections shall be final and conclusive.

10. The Crow Tribe, through the Crow Tribal Council, shall have the power to levy, assess and collect taxes and license fees upon non-members of the Crow Tribe doing business within the boundaries of the Crow Indian Reservation, subject to review by the Secretary of the Interior.

Article VII

Status and Functions of the Council:

1. The Crow Tribal Council is the voice of the Crow Tribe.
2. The Crow Tribal Council is the medium, the body, the tribal organization through which the Crow Tribe speaks to the government and the general public.
3. The Council, representing the entire Crow Tribe, shall voice the opinions, wishes, sentiment, hopes and decisions in any and all tribal matters for the Crow people to the Congress and the Interior Department, by resolutions and through tribally elected delegates who shall, under instructions of the council, proceed to Washington or elsewhere to present in person such decisions and their own arguments and appeals in support thereof as the council shall direct by majority vote.
4. Subject to existing federal law which endows the Congress with plenary powers over the Indians in their tribal state, and which in turn passes such authorities down the line to the Secretary of Interior and the Commissioner of Indian Affairs, who by regulations based upon acts of the Congress, control the management of Indian Affairs subject to constitutional limitations. The Crow Tribal Council, without legal status as such, but being the mouthpiece and the voice of the Crow people, will from time to time call to the attention of the Congress its views and wishes with respect to the administration of its rights, property and affairs by the Bureau of Indian Affairs.

5. Because of existing law governing Indian administration by the Congress herein pointed out, the Crow Council admits its limited authority in the administration of its own tribal matters, but also, understanding the constitutional limitations of the government in this same field, the Crow Tribal Council will sponsor all legislation with state, federal and local governments on behalf of the Crow Tribe, and will, through tribal council resolutions and elected delegates and representatives, consult with and otherwise deal with representatives of the department of the government of the United States on all matters affecting the interests of the Crow Tribe.

6. The Crow Tribal Council, which encompasses the entire membership of the Crow Tribe, so far as the Crow people are concerned, shall be supreme in determining by a majority vote of those attending, any course of action taken which is designed to protect Crow tribal interests.

7. The American system of "majority rule" used in the Congress of the United States shall prevail in the decisions of the Crow Tribal Council in regularly called and duly assembled conventions, and its majority decisions shall be conclusive and binding over the losing minority.

8. The Bureau of Indian Affairs, being a part of the United States Government, shall in no wise interfere directly or indirectly through its field representatives or agents with the deliberations or decisions of the Crow Tribal Council. The council, existing under the legal handicaps herein pointed out, belongs to the Crow Tribe only, and not the government, and as such will make its decisions without Indian Bureau interference or advice, inasmuch as the Indian Bureau, under the broad powers in Indian administration conferred upon the Congress and the Indian department by both the Congress and the courts, can and does nullify Indian tribal council actions the country over when same takes issue with its own views. However, the Crow Tribal Council, regardless of same, hereby reserved unto itself the right to initiate moves looking to the protection of the Crow tribal rights and interests under their treaties and under the American constitution guaranteeing all basic human rights to all who live under the American flag, and to the equal protection of the laws of our country.

9. The Crow Tribal Council in a duly called session will decide the manner of voting, whether by districts or in the council itself or whether by secret ballots in the districts or in the council, and on this issue the local Indian Bureau representatives will have no voice whatsoever - the council reserves this right unto itself. See Res 113 Pg 16 ?

10. Every member of the Crow Tribe, outside of the exception herein provided for, shall have equal opportunities to discuss any and every question of tribal concern before the council, and to participate, without interference, in all votes taken upon any such questions.

Article VIII

SECTION I: This Constitution and Bylaws shall be amended by a majority vote of the qualified voters of the Crow Tribe voting at an election called for that purpose by the tribal council, provided that no amendment shall become effective until it shall have been approved by the Commissioner of Indian Affairs or his authorized representative.

SECTION II: All eligible tribal members may vote at such duly called elections. The enactment of rules and procedure for conducting such an election shall be the responsibility of the tribal council. The tribal council shall enact an election ordinance.

AND, BE IT FURTHER RESOLVED, that the above listed changes are those which the tribal council wishes to make in the present Crow Tribal Constitution and shall do so regardless of any or all other resolutions or provisions, and if other resolutions or constitutional changes are in conflict with the above state rules, they shall be henceforth repealed, rescinded and expunged from the records.

Section 4. The duties of all appointed special committees or officer of the Council shall be clearly defined by regulations of the Council at the time of their creation or appointment. Such committees and officers shall report from time to time as required to the Council and their activities and decisions shall be subject to review of the Council.

Section 5. Regular and emergency sessions of the Crow Council shall be held on call of the Chairman at Crow Agency, Crow Agency, Montana.

Section 6. No business shall be transacted unless a quorum of 100 is present.

Section 7. Order of business:

- (a) Call to order by Chairman
- (b) Reading of minutes of last session
- (c) Unfinished business
- (d) Reports
- (e) New business
- (f) Adjournment

Section 8. It shall be the duty of the Chairman of the Council to duly notice all business sessions of the tribe for a period of at least seven (7) days prior to the date of the session. The decisions of the Crow Tribe affecting the land, water, and other property, or of legislative nature affecting the tribe.

BYLAWS

Article I

Duties of Crow Tribal Council

Section 1. The Chairman of the Council shall preside over all meetings of the Council, perform all duties of the Chairman and exercise any and all authority detailed by the Council, and shall be entitled to vote only in case of a tie.

Section 2. The Vice-Chairman shall assist the Chairman when called upon so to do; in the absence of the Chairman, shall preside and when so presiding shall have all the privileges, duties, and responsibilities of the Chairman.

Section 3. The Secretary of the Council shall forward a copy of the minutes of all the meetings to the Superintendent of the Reservation, and the Commissioner of Indian Affairs, and the Regional Director, and shall conduct all correspondence of the Council and shall keep all records and minutes of the meetings, records as to expenditures and allotment of tribal gratuitous and other funds over which the Council has sole charge.

Section 4. The duties of all appointed special committees or officer of the Council shall be clearly defined by resolutions of the Council at the time of their creation or appointment. Such committees and officers shall report from time to time as required to the Council and their activities and decisions shall be subject to review of the Council.

Section 5. Regular and emergency meetings of the Crow Council shall be held on call of the Chairman at Crow Agency, Crow Agency, Montana.

Section 6. No business shall be transacted unless a quorum of 100 is present.

Section 7. Order of business:

- (a) Call to order by Chairman
- (b) Reading of minutes of last meeting
- (c) Unfinished business
- (d) Reports
- (e) New business
- (f) Adjournment

Section 8. It shall be the duty of the Chairman of the Council to duly notice all tribal council meetings of the tribe for a period of at least seven (7) days prior to such meeting date, for decisions of the Crow Tribe affecting the sale or lease of tribal property, or of legislative matters affecting the Crow Tribe.

Section 9. A salary is to be paid to each officer or member of the Crow Tribal Council when serving as an authorized delegate as follows:

Within the State of Montana	\$10.00 per day
Outside the State of Montana, with the exception of trips to Washington, D. C.	15.00 per day
To Washington, D. C.	25.00 per day

In addition to the above scale of salaries a per diem is to be paid each officer or member of the Crow Tribal Council, computed in accordance with the U. S. Government Travel Regulations and in addition transportation via rail, air or personal car, whichever is administratively determined to be in the best interest of the Crow Tribe.

Approval

Resolution No. 31 adopted February 3, 1955, approved by letter to the Chairman of the Crow Tribal Council from Commissioner Glenn L. Emmons dated March 18, 1955.

Article II

Ratification of Constitution and Bylaws

This Constitution and the attached Bylaws, when adopted by a majority of those attending District Councils called to vote on accepting a Constitution and Bylaws shall be binding upon the Crow Tribe.

CERTIFICATE OF ADOPTION

Pursuant to the Constitutional election held on June 24, 1948, this Constitution and Bylaws of the Crow Tribal Council of Montana, was adopted by a vote of 295 for and 130 against in an election in which 425 votes were cast.

(Signed)
Robert Yellowtail
Chairman, Tribal Council

(Signed)
George Hogan, Sr.
Secretary, Tribal Council

(Signed)
L. C. Lippert, Crow Agency

APPROVAL

This Constitution and Bylaws, having been proposed and ratified by the members of the Crow Tribe on June 24, 1948, at a referendum, is herewith approved.

(Sgd) William Zimmerman, Jr.

William Zimmerman, Jr.
Assistant Commissioner

Washington, D. C., May 23, 1949

RESOLUTION NO. 62-11

A RESOLUTION OF THE CROW TRIBAL COUNCIL PROVIDING FOR THE AMENDMENT OF THE CONSTITUTION OF THE CROW TRIBAL COUNCIL, BY ADDING TO AND CHANGING ART. II, ART. VII, AND ART. VIII, BY MAKING CERTAIN CHANGES BY ADDING TO AND CHANGING ART. II, ART. VI, ADDING SECTIONS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, ART. VIII, ADDING SECTIONS 1, 2, AND FOR OTHER PURPOSES.

WHEREAS, there has been a need for certain changes in the Crow Tribal Constitution, it is deemed to be in the best interests of the Crow Tribe that Resolutions 107, 140, 145, 223, and 152, shall be, and the same are hereby rescinded, repealed and expunged from the Crow Tribal records;

AND WHEREAS, it is evident that the rescission will enable tribal members to appoint committee members and delegates more democratically in accordance with certain existing provisions of the Crow Tribal Constitution.

NOW, THEREFORE, BE IT RESOLVED, by the Crow Tribal Council in Crow Tribal Council duly called and held this 18th day of December, 1961, that the Constitution of the Crow Tribal Council be, and hereby is amended by making the following changes in the present Crow Tribal Constitution, to-wit:

ARTICLE II.

The council shall elect every two (2) years, in conformity to its rules of procedure, a Chairman, Vice-Chairman, Secretary and Vice-Secretary. The Chairman shall have no vote unless there be a tie vote before the council. The election for these officers shall be held the second Saturday of May every other year after May 12, then the first election shall be held under this constitutional change. Officials are to assume their duties July 1, after election.

ARTICLE VI.

The Powers, Duties, and Functions of the Council:

1. The Council shall establish its own rules of procedure.
2. Meetings. There shall be regular Tribal Council meetings held each year on the second Saturday of January, the second Saturday of April, the second Saturday of July, and the second Saturday of October, and as many additional meetings shall be held as tribal business may require. All meetings shall be called by the Chairman and the Committee.

3. Notice of meetings and agendas. It shall be the duty of the Secretary, or in his absence, the Vice-Secretary of the Crow Tribal Council to give notice of all Tribal Council meetings of the Crow Tribe in writing for a period of at least seven days prior to each meeting date. Notices shall be posted at one public place in each district of the reservation, and at the Agency Headquarters, and, where possible, in the local newspapers and by radio broadcast. Notices in addition to the date, time and place of the meeting, shall list in numerical order the business to come before the Tribal Council meeting. No business shall be transacted at the meeting unless it has been included in the public notice. Copies of proposed resolutions or other business to be considered shall be furnished to the elected district representatives by the Tribal Secretary seven (7) days prior to meeting dates.

4. Items of business, Agenda of the Tribal Council meeting shall include all items required by the (1) Tribal Chairman and committee. (2) Superintendent of the Crow Agency, and (3) any petition duly signed by 100 qualified voters. All requests to the Chairman and committee for a general Council meeting shall be in writing and shall clearly state the nature of the business to be presented before the General Council.

5. If the Commissioner of Indian Affairs desires to present any matter to the council for its action, such request shall be presented in writing to the Chairman or the committee, who shall as herein provided, advertise such request as provided, and set the date for the Council Sessions.

6. Except where otherwise specified in this constitution and By-Laws, decisions of the Council shall be by a simple majority of the vote cast.

7. The Council shall perform the duties assigned to it under this Constitution and By-Laws and shall have such powers in addition to those expressly conferred on it thereunder as may be necessary to achieve its effective operation and to realize its objective.

8. All matters presented and coming before the Crow Tribal Council to be voted upon by the members of the Crow Tribe shall be decided and determined by a simple majority vote.

9. There shall be a committee composed of two (2) members from each of the Six Districts of the Crow Reservation and two (2) members from off-the-reservation Indians elected for a term of two (2) years, in accordance with the Tribal Council's rules of procedure, to act as an executive committee to work with the officers under the general direction of the Council. The first election of these committee members shall be held within 30 days from and after adoption of this Constitutional amendment, and all subsequent elections to be held the second Saturday of the month of May at 2-year intervals on alternate years from the tribal officials election. Each district shall select its own election judges from within said district whose expenses shall be paid from tribal funds. The results of such elections shall be final and conclusive.

10. The Crow Tribe, through the Crow Tribal Council, shall have the power to levy, assess and collect taxes and license fees upon non-members of the Crow Tribe doing business within the boundaries of the Crow Indian Reservation, subject to review by the Secretary of the Interior.

ARTICLE VIII.

SECTION I: This Constitution and By-Laws shall be amended by a majority vote of the qualified voters of the Crow Tribe voting at an election called for that purpose by the Tribal Council, provided that no amendment shall become effective until it shall have been approved by the Commissioner of Indian Affairs or his authorized representative.

SECTION II: All eligible tribal members may vote at such duly called elections. The enactment of rules and procedure for conducting such an election shall be the responsibility of the Tribal Council. The Tribal Council shall enact an election ordinance.

AND, BE IT FURTHER RESOLVED, that the above listed changes are those which the Tribal Council wishes to make in the present Crow Tribal Constitution and shall do so regardless of any or all other resolutions or provisions, and if other resolutions or constitutional changes are in conflict with the above state rules they shall be henceforth repealed, rescinded and expunged from the records.

PASSED, ADOPTED AND APPROVED this 18th day of December, 1961, by the Crow Tribal Council at a duly assembled meeting of said council according to a notice duly given on December 11, 1961, in a duly called Council, a quorum being present at Crow Agency, Montana. Votes for 280; Votes against None.

(Sgd) Roger Stops

Roger Stops, Chairman, Pro-Tem.
Crow Tribal Council

ATTEST:

(Sgd) Arthur R. Garrigus

Arthur R. Garrigus, Secretary, Pro-Tem.
Crow Tribal Council

I recommend _____
I do not recommend _____

Superintendent, Crow Indian Agency

AMENDMENT
CONSTITUTION AND BYLAWS
of the
CROW TRIBAL COUNCIL

AMENDMENT

The Constitution and Bylaws of the Crow Tribal Council shall be amended by adding Article IX, which shall read as follows:

ARTICLE IX

Section 1. The Crow Tribe through the Crow Tribal Council shall have power to establish, own, operate, maintain and engage in any business or business enterprise, either as sole owner and operator, or jointly with any person, firm or corporation, or jointly with any agency or department of the Government of the United States of America. For the purpose of carrying out the powers herein set forth, the Crow Tribal Council is authorized and empowered to use and expend tribal funds of the Crow Tribe.

Approved:

(SGD) ROBERT L. BENNETT

Commissioner of Indian Affairs
Washington, D. C.

Date: DEC 28 1966

ATTACHMENT - G

RESOLUTION NO. _____

A RESOLUTION OF THE CROW TRIBAL COUNCIL OF THE CROW TRIBE OF INDIANS FOR THE PURPOSE OF ESTABLISHING A BUDGET FOR FISCAL YEAR 1994; OCTOBER 1, 1993 THROUGH SEPTEMBER 30, 1994.

WHEREAS, the Crow Tribe of Indians, through formal action of the Crow Tribal Council each year, adopts a budget as a part of its budgeting process to outline the expenditures authorized by the Tribal Council for the ensuing year; and

WHEREAS, certain other matters relating to the budget need to be specifically approved by the Crow Tribal Council.

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Crow Tribal Council is hereby authorized to modify the Tribal budget for the fiscal year 1994 from tribal funds.

BE IT FURTHER RESOLVED, that the Chairman of the Crow Tribal Council is hereby authorized to reprogram any carryover monies from the past Fiscal Year to present programs or to create new programs on behalf of the Crow Tribe.

BE IT FURTHER RESOLVED, The Crow Tribal Officials will be the overseer for the 1994 Crow Fair Budget, as so authorized under the Constitution and By-Laws of the Crow Tribe of Indians.

BE IT FINALLY RESOLVED, that the Crow Tribe of Indians hereby approves the attached budget.

PASSED, APPROVED AND ADOPTED, by the Crow Tribal Council this 10th day of July, 1993, with _____ votes for adoption, and _____ votes against adoption.

ATTEST:

Clara Nomee, Madam Chairman
CROW TRIBAL COUNCIL

Blaine Small, Secretary
CROW TRIBAL COUNCIL

NOTED:

John Pereau, Superintendent
BUREAU OF INDIAN AFFAIRS

LINE ITEMS	TOTAL TRIBAL BUDGET
SALARIES:	
ADMINISTRATORS/DIRECTORS	908,782
SECRETARIES/RECEPTIONISTS	486,489
SUPPORT PERSONNEL	3,262,947
OVERTIME	1
EMPLOYEE BENEFITS:	
PAYROLL TAXES	622,185
SUBTOTAL-SALARIES/BENEFITS	5,280,243
TRAVEL:	
AIRFARE/MEALS/LODGING/ETC	118,648
VEHICLE EXPENSE/MILEAGE	122,588
TELEPHONE/UTILITIES:	
TELEPHONE	67,188
ELECTRICITY	53,188
WATER/GAS	17,188
OFFICE RENT	12,818
OPERATING SUPPLIES	91,388
POSTAGE	7,588
PRINTING/COPIER SUPPLIES	25,799
EQUIPMENT	22,158
BUILDING MAINTENANCE	
ADMINISTRATION	22,588
COURTS	1
GRANDSTANDS	1
ARBOR AND CAMPGROUNDS	1
STARTUP FUNDS	1
GROCERIES	14,488
CONSULTANTS	59,588
TRAINING	44,388
PATIENT FAMILY CARE	38,188
JURY DUTY FEES	2,588
SPECIALIZED EQUIPMENT	17,588
ACCREDITATION AND TRAINING	19,188
EQUIPMENT RENTAL/OPERATING	34,588
AT RANGE OPERATIONS	8,688
UTILITIES	
MISCELLANEOUS EXPENDITURES	63,188
SEPERATE PROGRAMS/LINE ITEMS:	
HOME REPAIRS	28,888
CONSULTANTS:	
TRIBAL ATTORNEY	113,888
SPECIAL ATTORNEYS	788,888
ACCOUNTANTS	172,888
AUDIT	62,588
LOBBIST	68,888
ECONOMIST	1
GAMING COMMISSION	12,688
CONTINGENCY	58,888
EDUCATION FUNDS	358,888

LINE ITEMS	TOTAL TRIBAL BUDGET
BURIAL	70,000
SOLID WASTE DISPOSAL	87,500
VICTIM ASSISTANCE	55,000
INSURANCE-BLOG	60,000
US DIRECT LOAN/FXHA PAYMENTS	370,000
OTHER COST	
TRIBAL COUNCIL	6,000
DISTRICT MEETINGS	5,000
HOUSING COMMISSION	8,000
ELECTIONS	5,000
DEFERRED INTEREST PAYMENT	0
COMMITTEE COST:	
EXECUTIVE	10,000
LAW AND ORDER	8,000
LAND RESOURCE	14,000
ENROLLMENT	8,000
EDUCATION	12,000
HEALTH BOARD	8,000
FISH AND WILDLIFE	8,000
CULTURAL	8,000
WATER	8,000
"107" PERIODIC	8,000
DEBT RETIREMENT	0
CROW FAIR	120,000
TRIBAL ELDERS	160,000
SEWER AND WATER:	125,000
BUDGET OVEREXPENDITURE	
TOTAL FY 9/94 BUDGET	8,890,848
LESS GOVERNMENT FUNDING	0
LESS ESTIMATED FEES	0
LESS INTEREST EARNED ON CHECKING	0
LESS INTEREST ON INVESTMENT	0
LESS INTEREST ON LONG TERM INVEST	0
NET FY 9/94 BUDGET	8,890,848

ATTACHMENT - H

Accountants' Contract

Page 1 of 3

This agreement, made and entered into the 1st day of June, 1992, by and between Clara Nomee, acting for and on behalf of the Crow Tribe and Weber, Dobson and Jensen, P.C., Certified Public Accountants, residing at 2526 Grand Avenue, Billings, Montana.

WITNESSETH:

1. That Clara Nomee, Madame Chairman of the Crow Tribe hereafter referred to as the TRIBE, under the authority vested therein through election by the Crow Tribe, hereby contracts with, retains, and employs Weber, Dobson and Jensen, P.C., as CPAs in the matters hereinafter mentioned:

2. It shall be the duties of Weber, Dobson and Jensen, P.C., CPAs hereafter referred to as the CPAs to act as the accountants for and on behalf of the TRIBE and to act as such before all governing bodies and agencies.

3. SPECIFICALLY, the CPAs will:

- a) write and co-sign checks on behalf of the TRIBE after the CPAs have reviewed proper documentation to support the expenditure.
- b) issue payroll checks to TRIBE employees, withhold the proper payroll taxes, make payroll tax deposits and file the required quarterly and annual payroll reports that correspond with the period of this contract.
- c) design and assist with the implementation of an accounting system that possesses checks and balances so that all expenditure are in accordance with the approved budget and that these expenditures are properly documented.
- d) maintain original documentation and provide copies to the TRIBE that support the Tribe's sources and used of revenues on location while such functions of the Tribe's finance department are being maintained in Billings.
- e) ~~issue a periodic report, no less than monthly, of the sources and uses of TRIBE funds and how these compared with the approved budget.~~
- f) With the approval of a "plan of operations" that is acceptable to both the TRIBE and the CPAs, the CPAs will move the current finance functions being performed in Billings to the Tribal offices at Crow Agency. Furthermore, the CPAs will have on staff at the Tribe's offices those CPA employees necessary to fulfill the terms of this contract. The parties recognize that emergencies may arise and/or other CPA business might preclude Ed Jensen and/or Terry Dobson from being there each day but that an attempt will be made to have one or the other at the Tribal offices each day. ~~It is further understood that the CPAs office hours at Crow Agency will be approximately 9:00am to 4:00pm and that the compensation and per diem terms of this contract begin and end at the CPAs office in Billings.~~

Accountants' Contract
Page 2 of 3

- continued -

4. SUPERVISION: The CPAs in performance of the duties required of them under this contract, shall be subject to the supervision and direction of the Tribal Council of the Crow Tribe and its authorized representatives. Additionally, it is understood that the CPAs responsibility will be directly to those representatives and not to Tribal members on an individual basis.

5. IN CONSIDERATION: For services to be rendered, the CPAs shall receive hourly compensation based on the level of staff required to adequately perform the the services required; which is:

- a) \$85.00/hour for partners (Ed Jensen, Terry Dobson, John Weber).
- b) \$60.00/hour for upper-level professional staff.
- c) \$50.00/hour for mid-level professional staff.
- d) \$40.00/hour for lower-level professional staff.
- e) \$30.00/hour for bookkeeping staff.
- f) \$35.00/hour for computer support/management.
- f) \$25.00/hour for clerical services.

In addition to fees for services, any and all out of pocket expenses for supplies, travel (auto expenses will be reimbursed at a federal rate, currently \$.28/mile.), long distance phone calls, printing, photocopies and other similar expenses that relate to the TRIBE's accounting shall be reimbursed to the CPAs. When the CPAs are required to travel to Crow Agency or surrounding business area on TRIBE business matters, a per diem rate of \$26 per day will be assessed, without proration.

The combination of fees for services and out-of-pocket reimbursements for the term of this contract shall not exceed the amount authorized by the Tribal Council when it approves the annual Tribal budget, unless additional amounts are authorized by the Tribal Council and/or its authorized representative. Except in emergency situations, advance approval shall be obtained for such additional amounts.

6. DURATION: This contract shall be for two (2) years, which coincides with the term of the newly elected administration, and ends on June 30, 1994. The current contract expires on June 30, 1992.

7. TERMINATION: This contract may be terminated by either party by giving 30 days written notice to the other party and to the BIA Area Director. If the contract shall be so terminated the CPAs shall receive such compensation as the BIA Area Director or his authorized representative may determine equitable and due up to the date of termination unless the TRIBE and CPAs are in agreement as to this amount.

Accountants' Contract
Page 3 of 3

- continued -

8. INVOICING: The CPAs shall render to the TRIBE a written report of services rendered and out-of-pocket expenses incurred no less frequently than monthly. These fees will be includable in the periodic BIA drawdown request and payable upon receipt of said drawdown.

9. The CPAs stipulate that they are a fully licensed member in good standing with Board of Accountancy of the State of Montana.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on day and year first above written.

THE CROW TRIBE

BY: Clara Nomee
(Clara Nomee, Madame Chairman)

AND: Blaine Small
(Crow Tribal Representative)

WEBER, DOBSON AND JENSEN, P.C.

BY: Ed Jensen CPA
(Ed Jensen, CPA Representative)

AND: Terry Dobson CPA
(Terry Dobson, CPA Representative)

ATTACHMENT - I

A RESOLUTION OF THE CROW TRIBAL COUNCIL OF THE CROW TRIBE OF INDIANS DELEGATING AUTHORITY TO THE NEW CHAIRMAN, CLARA NOME, REVERSING THE RESULTS OF THE CROW TRIBAL COURT DECISION OF SPECIAL JUDGE ANDREW SMALL DATED DECEMBER 16, 1989, AND RATIFYING AND APPROVING ALL ACTIONS TAKEN AT THE JULY 8, 1989, OCTOBER 14, 1989, JANUARY 13, 1990, AND APRIL 14, 1990 QUARTERLY CROW TRIBAL COUNCIL MEETINGS.

WHEREAS, the election results of the May 12, 1990 Officers' Election indicate a clear mandate to Clara Nomee as Crow Tribal Chairman and the persons who ran with her on the same ticket;

- Elec. Ordinance

NOW, THEREFORE, BE IT RESOLVED that Clara Nomee, Chairman of the Crow Tribe of Indians, be granted and delegated all of the authority necessary to conduct the administrative and financial affairs and all other affairs of the Crow Tribe of Indians in between Council Meetings. It is intended by this Crow Tribal Council that all of the authority necessary to conduct day-to-day operations of the Crow Tribe shall be delegated to Clara Nomee, Chairman of the Crow Tribe of Indians, subject only to further action of this Crow Tribal Council. Such authority shall include, but not be limited to, the authority to issue executive orders necessary for the efficient operation of the Crow Tribal Office and its government, the authority to appoint and hire persons and fill positions necessary for the orderly and proper conduct of Crow Tribal business, the authority to hire and fire the heads of departments and directors of programs under the control of the Crow Tribe of Indians who shall serve at her pleasure including, but not limited to, a Tribal Business Manager, a Tribal Finance Officer, a Tribal Personnel Officer, a Director of the Tribal Employment Rights Office, a Director of the Crow Tribal Housing Authority, a Director of the Crow Tribal Credit Committee, a Director of the Land Resource Committee, the Fish and Game Director, a Director of the Abandoned Mine Land Program, and all other executive officers or directors of the Boards, Commissions, and Departments of the Crow Tribe of Indians. Such authority shall also include the authority to open and close bank accounts and authorize signatures on any bank checks or other bank instruments.

- VI, Sec. 11

- 1986 ACT

BE IT FURTHER RESOLVED that the Crow Tribal Council hereby adopts, accepts, and ratifies the conclusion of the Crow Tribal Court in Donald Stewart vs. Richard Real Bird and Truman Jefferson (Civil Cases Nos. 85-084 and 85-086, and 85-104) in its Memorandum and Order dated May 17, 1985, that the Crow Tribal Court is not a Constitutional court and has no authority separate and distinct from the authority granted by the Crow Tribal Council and cannot, therefore, contradict or deny action properly taken at any Crow Tribal Council Meeting; said position is expressly adopted as the will of the Crow Tribe of Indians; pursuant to that authority and position, this Crow Tribal Council does hereby reject and disapprove the decision of Special Judge Andrew Small dated December 22, 1989, and his Supplemental Opinion dated January 10, 1990 (Richard Real Bird vs. Clara Nomee, Civil Nos. 89-296, 89-200), and specifically disapproves and rejects the conclusion by the Crow Tribal Court that Clara Nomee was properly removed from her position as Secretary and that the election of the Executive Committee conducted by Clara Nomee as Secretary was invalid. The Crow Tribal Council does hereby validate, ratify and approve as fully lawful and binding for all purposes all actions taken by Clara Nomee as Secretary of the Crow Tribe since she took office on July 1, 1988, including, but not limited to, the conduct of the election for Executive Committee of the Crow Tribe of Indians conducted on May 13, 1989, and further validates, ratifies, and approves all actions taken by this Crow Tribal Council and all resolutions adopted by this Crow Tribal Council in the council.

PASSED, APPROVED AND ADOPTED by the Crow Tribal Council this
14th day of July, 1990, with unanimous votes
for adoption and none votes against adoption.

CLARA NOME, CHAIRMAN
CROW TRIBAL COUNCIL

NOTED:

SUPERINTENDENT
BIA, CROW INDIAN AGENCY

ATTACHMENT - J



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS

CROW INDIAN AGENCY
P.O. BOX 69
CROW AGENCY, MONTANA 59022

IN REPLY REFER TO:

Government Services
429-2972

August 13, 1990

Clara Nomee, Chairman
Crow Tribal Council
P.O. Box 159
Crow Agency, Montana 59022

Dear Ms. Nomee:

Enclosed is Resolution No. 90-35, adopted at the general Council meeting on July 14, 1990, and received in this office on July 18, 1990. Subject resolution pertains to delegating authority to the new Chairman, Clara Nomee reversing the results of the Crow Tribal Courts decision of Special Judge Andrew Small dated, December 16, 1989, and ratifying and approving all actions taken at the July 8, 1989, October 14, 1989, January 13, 1990 and April 14, 1990, Quarterly Crow Tribal Council meetings.

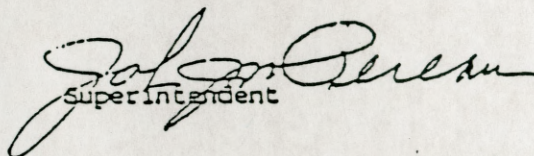
The resolutions content concerns internal operations of the Crow Tribe. Previous action by the Bureau to withhold recognition of documents, determined by the Crow Tribal Court has been appealed by your attorney to the Interior Board of Indian Appeals (IBIA).

Since many of the issues discussed in Resolution No. 90-35 are also the subject of the appeal, it seems inappropriate to comment at this time until the appeal is decided upon.

It also appears likely that interpretation of the Crow Tribe's governing documents and tribal court rulings may be necessary in order to properly analyze the direction taken by the Council through its passage of Resolution No. 90-35. This is a matter for review first within one of the Tribe's own forums since the gist of the resolution appears contradictory to numerous previous Council actions and tribal court rulings. You may wish to consider requesting review by the Department's attorney as well.

I have forwarded Resolution No. 90-35, to the Area Office for review and/or comments.

Sincerely,


Superintendent

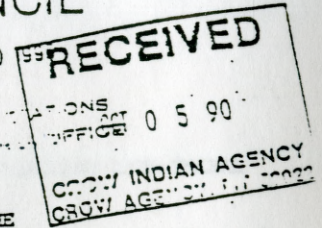
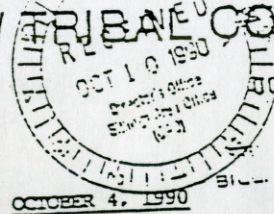
Enclosure

ATTACHMENT - K



Crow Country

CROW TRIBAL COUNCIL



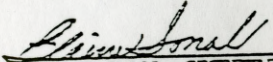
OCTOBER 4, 1990

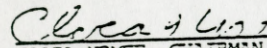
NOTICE AND CALL OF QUARTERLY MEETING OF THE
CROW TRIBAL COUNCIL, CALLED AND NOTICED
FOR 2:00 O'CLOCK P.M. ON OCTOBER 13, 1990

THE CHAIRMAN OF THE CROW TRIBAL COUNCIL AND THE EXECUTIVE COMMITTEE OF THE CROW TRIBE, PURSUANT TO THE PROVISIONS OF THE CROW TRIBAL CONSTITUTION AND BY-LAWS, DO HEREBY CALL AND GIVE NOTICE TO THE MEMBERS OF THE CROW TRIBE OF INDIANS THAT A QUARTERLY COUNCIL MEETING WILL BE CONVENED AT THE HOUR OF 2:00 P.M. O'CLOCK AT THE IVAN HOOPS MEMORIAL HALL ON THE THIRTEENTH DAY OF OCTOBER, 1990, AT CROW AGENCY, MONTANA, FOR THE PURPOSE OF CONSIDERING THE FOLLOWING AGENDA OF PROPOSED RESOLUTIONS:

- ITEM #1: A RESOLUTION OF THE CROW TRIBAL COUNCIL FOR THE PURPOSE OF ESTABLISHING A BUDGET FOR FISCAL YEAR 1991; OCTOBER 1, 1990 THROUGH SEPTEMBER 30, 1991.
- ITEM #2: A RESOLUTION OF THE CROW TRIBAL COUNCIL PERTAINING TO THE ESTABLISHMENT OF A CROW TRIBE EDUCATION LOAN PROGRAM AND ADOPTING A DECLARATION OF POLICY AND PLAN OF OPERATION.
- ITEM #3: A RESOLUTION OF THE CROW TRIBAL COUNCIL TO RE-AFFIRM RESOLUTION NO. 78-06 AND TO AUTHORIZE THE CHAIRPERSON OF THE CROW TRIBAL COUNCIL TO NEGOTIATE AND SIGN ANY AND ALL NECESSARY INSTRUMENTS FOR THE FUNDING OF PROGRAMS, CONTRACTS AND GRANTS.
- ITEM #4: A RESOLUTION OF THE CROW TRIBAL COUNCIL PERTAINING TO THE ESTABLISHMENT OF AND ADOPTING A DECLARATION OF POLICIES AND PLAN OF OPERATION.
- ITEM #5: A RESOLUTION OF THE CROW TRIBAL COUNCIL PERTAINING TO HIRING OF ADDITIONAL ATTORNEYS FOR THE PROTECTION OF CROW TRIBAL MINERALS, WATER RIGHTS AND OTHER TRIBAL INTERESTS.
- ITEM #6: A RESOLUTION OF THE CROW TRIBAL COUNCIL TO PROVIDE FOR AN EMERGENCY FIRST RESPONDER UNIT TO BE LOCATED AT FRYOR.
- ITEM #7: A RESOLUTION TO PROVIDE FINANCIAL ASSISTANCE TO PLENTY COUPS HIGH SCHOOL.
- ITEM #8: A RESOLUTION OF THE CROW TRIBAL COUNCIL PERTAINING TO THE ACQUISITION, AND IMPLEMENTATION OF FEDERALLY AND PRIVATELY FUNDED PROGRAMS, GRANTS, AND ASSISTANCE FOR THE BENEFIT OF THE CROW TRIBE.
- ITEM #9: A RESOLUTION OF THE CROW TRIBAL COUNCIL PERTAINING TO RETENTION OF QUALIFIED GOVERNMENT PERSONNEL.
- ITEM #10: A RESOLUTION OF THE CROW TRIBAL COUNCIL TO ALLOW THE ADMINISTRATION OF THE CROW TRIBE TO CONTINUE TO PROMOTE, NEGOTIATE, DEVELOP AND INSTALL NEW BUSINESS AND INDUSTRIAL OPERATIONS ON THE CROW INDIAN RESERVATION.
- ITEM #11: A RESOLUTION OF THE CROW TRIBAL COUNCIL PERTAINING TO ESTABLISH FISH AND WILDLIFE HEADQUARTERS.
- ITEM #12: A RESOLUTION OF THE CROW TRIBAL COUNCIL PERTAINING TO THE IDENTIFICATION AND REPORTING CHILD ABUSE AND/OR NEGLECT PROCEDURES FOR THE CROW TRIBE OF INDIANS.

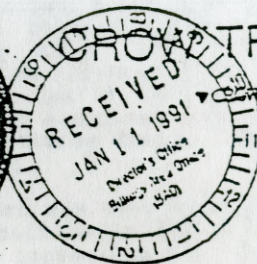
- ITEM #13: A RESOLUTION OF THE CROW TRIBAL COUNCIL TO ESTABLISH CROW TRIBAL DEPARTMENT OF TRANSPORTATION.
- ITEM #14: A RESOLUTION PERTAINING TO ENROLLMENT.
- ITEM #15: A RESOLUTION OF THE CROW TRIBAL COUNCIL TO AUTHORIZE THE BUREAU OF INDIAN AFFAIRS LAW ENFORCEMENT OFFICERS, CROW INDIAN AGENCY TO ENFORCE THE CROW TRIBES LAW AND ORDER CODE, AS AMENDED, AND FOR OTHER PURPOSES.
- ITEM #16: A RESOLUTION OF THE CROW TRIBAL COUNCIL FOR THE PURPOSE OF NEGOTIATING OIL & GAS LEASES.
- ITEM #17: A RESOLUTION OF THE CROW TRIBAL COUNCIL FOR THE ELECTION OF CROW TRIBAL COURT JUDGES.
- ITEM #18: A RESOLUTION OF THE CROW TRIBAL COUNCIL FOR THE PURCHASE OF CAMPBELL FARM.


BLAINE SMALL, SECRETARY
CROW TRIBAL COUNCIL


CLARA NOMEZ, CHAIRMAN
CROW TRIBAL COUNCIL

October 4, 1990

- 91-02 Education.
Budget
- 91-03 Contracting
Budget
- 91-05 Budget
- 91-06 Credit
Contracting
Budget
- 91-07 File
- 91-08 Land & Minerals
Law Enforcement Services
- 91-09 Social Services
Law Enforcement Services
- 91-10 Law Enforcement Services
- 91-12 Law Enforcement Services
- 91-13 Real Property Management



CROW TRIBAL COUNCIL

JAN 10 1991

P.O. BOX 159
AGENCY, MT 59022

TRIBAL OPERATIONS
BILLINGS AREA OFFICE

CLARA NOME, Madam Chairman
JOE PICKETT, Vice-Chairman
BLAINE SMALL, Secretary
SYLVESTER GOES AHEAD, Vice-Sec.

Crow Country

MINUTES OF OCTOBER 13, 1990 QUARTERLY CROW TRIBAL COUNCIL MEETING

PRESENT: CROW TRIBAL COUNCIL OFFICERS, CHAIRMAN CLARA NOME, VICE-CHAIRMAN JOSEPH PICKETT, SECRETARY BLAINE SMALL, VICE-SECRETARY SYLVESTER "CARDY" GOES AHEAD, CROW TRIBAL COUNCIL MEMBERS, OTHER INTERESTED PARTIES.

Pursuant to notice given on October 5, 1990, the October Quarterly Council Meeting was held in the Ivan Hoops Memorial Hall, Crow Agency, Montana on Saturday, October 13, 1990.

Madam Chairman Clara Nomee after recognizing a quorum of more than 100 (770 registered voters in attendance), called the meeting to order at 2:00 o'clock p.m. and called upon Starr Not Afraid, to give the invocation. After the invocation Madam Chairman Clara Nomee appointed the following:

1. Parliamentarian will be Tom Towe.
2. Sargeant at Arms: Pat Alden and Adrian Bird.

Chair recognized Kayle Howe, who explains the duties of the Sargeant at Arms.

Madam Chairman Clara Nomee introduced Mr. Terry Dobson and Mr. Ed Jensen, the CPA's (Certified Public Accountants), from Billings, Montana who manage the finances for the Crow Tribe to the Crow Tribal Council. Madam Chairman Clara Nomee stated that the two gentlemen will answer any questions on the budget.

Chair recognized Dale Kindness who stated that the first item would be the July 14, 1990 Quarterly Council Meeting Minutes, at this time I move that we dispense with the reading of the minutes of the July 14, 1990 Quarterly Council Meeting and accept the same as prepared by the Secretary of the Crow Tribe. Motion seconded by Robert Wilson. Madam Chairman Nomee called for a vote on the motion by Dale Kindness, which passed by voice vote, unanimously, with none opposing. Madam Chairman declared the motion passed unanimously.

Madam Chairman Clara Nomee addresses the council with Item No. 1 on the agenda. Madam Chairman called on Kayle Howe to read Item No. 1, a resolution of the Crow Tribal Council for the purpose of establishing a budget for Fiscal Year 1991: October 1, 1990 through September 30, 1991.

Chair yielded the floor to Kayle Howe who read Resolution Item No. 1 and the line items on the budget. After reading the resolution in its entirety, Kayle Howe made a motion to accept Item No. 1 as read. Seconded by Bob Kelly.

Chair recognizes Dale Kindness who moved to make an amendment on Item No. 1 and submits the written amendment to the Secretary, Blaine Small, the official record keeper of the Crow Tribe of Indians. Bob Kelly seconds the amendment made by Dale Kindness. The amendment submitted is Amendment No. 1 on Item No. 1.

Chair recognized Ellis Knows Gun who moves to further amend Item No. 1, based on the need for the Crow Tribe to start implementing it's Crow Reclamation Code, this code was established in October 1980. Amendment made by Ellis Knows Gun was seconded by Marvin Stewart. Ellis Knows Gun submits his amendment along with the documents to the Secretary of the Crow Tribe, Blaine Small. This amendment is Amendment No. 2 on Item No. 1.

David Stewart was then recognized who questioned the line item for the suboffice in Billings, Montana. David Stewart spoke in favor of increasing the Crow Fair Budget.

Chair recognized Faron Iron who spoke in favor of the suboffice in Billings, Montana.

Chair recognized Archie Big Lake who spoke in favor of the suboffice in Billings, Montana.

Chair recognized Tracy Jackson who spoke in favor of the suboffice in Billings, Montana.

Chair recognized Adlee Eckhardt who spoke in favor of the suboffice in Billings, Montana.

Chair recognized Sylvester "Carly" Goes Ahead who spoke in favor of the suboffice in Billings, Montana.

The Chair states in the Crow language that two weeks ago we directed concern tribal members and district representatives to go to all districts for their input on the formation of the budget. After the district meetings, based on district input, a roughdraft of the budget was produced. It took one week to put this budget together. After the Bureau of Indian Affairs review of this budget, the Crow Fair Budget was decreased due to lack of accountability. It's very important that the Crow Tribe regains accountability.

Madam Chairman Clara Nomee called for a vote on the motion as amended by Ellis Knows Gun, seconded by Marvin Stewart. Motion passed unanimously with none opposing.

Madam Chairman Clara Nomee calls for a vote on amendment made by Dale Kindness. Seconded by Bob Kelly. Motion carried unanimously.

Chair recognizes David Stewart who moves that Item No. 1 further be amended to increase the Crow Fair Budget from \$75,000.00 to \$150,000.00. He submitted his written amendment to the Secretary of the Crow Tribe, Blaine Small. This amendment is Amendment No. 3 on Item No. 1. John Hill second the motion of amendment made by David Stewart.

Chair recognizes Gussie Costa who spoke in favor of the Crow Fair Budget as amended by David Stewart.

Chair recognizes John Hill who also spoke in favor of the Crow Fair Budget as amended by David Stewart.

Chair recognized Dale Kindness who moves to amend the amendment made by David Stewart. Seconded by Robert Wilson. A written amendment was submitted by Dale Kindness to Blaine Small, Secretary of the Crow Tribal Council.

The chair called for a vote on amendment made by Dale Kindness to amend the amendment made by David Stewart. Chair announced the vote, carried unanimously, with no opposition.

Madam Chairman Clara Nomee called for a vote on the amendment made by David Stewart and it passed unanimously.

~~The Chair called for a vote on Item No. 1, the main resolution, with all the amendments, motion made by Kayle Howe, seconded by Dale Kindness. Motion was voted on and passed unanimously with no opposition.~~

Chair moves to Item No. 2 on the agenda. After reading Item No. 2, Chair asks if there is any discussion on Item No. 2.

Chair recognized Bob Kelly who makes a motion to amend this resolution. Brad Stovall seconds the amendment made by Bob Kelly.

Chair recognizes Arlo Dawes who submits an amendment to the plan of operations on Item No. 2. This amendment is Amendment No. 2 on Item No. 2. Gussie Costa seconded motion to amendment by Arlo Dawes.

Chair yields the floor to Sylvester "Cardy" Goes Ahead who spoke in favor of the amendment made by Bob Kelly.

Chair recognized Gussie Costa who spoke in favor of the amendment made by Arlo Dawes.

Madam Chairman Clara Nomee recognized Kayle Howe who asked to make a clarification on the amendment made by Bob Kelly, in the Plan of Operation all the students who excell would be eligible for the incentive award in equal amounts depending on the money appropriated.

The Chair recognizes Elizabeth Whiteman who explains to the council, that according to their plan of operations all students who have unique opportunities can submit a request for the incentive award. The students who are eligible will be treated fairly. She encourages to have the first amendment withdrawn.

Chair recognized Bob Kelly who withdrew his amendment to Item No. 2.

Madam Chairman Clara Nomee called for a vote on the motion as amended by Arlo Dawes, seconded by Gussie Costa. Motion passed unanimously with none opposing.

Arlo Dawes was recognized by Madam Chairman Nomee, who then made a motion to accept Item No. 2 with amendment as read, duly seconded by John Pretty On Top. Motion passed unanimously, with no opposition.

The Chair moves on to Item No. 3 of the agenda. Chair asks Arlo Dawes to read resolution to Item No. 3.

Chair yields floor to Arlo Dawes who makes a correction on a typographical error on the resolution to Item No. 3. He continues to read the resolution as requested by the Chair. After reading the resolution, Arlo Dawes made a motion to accept the Item No. 3 as read. Seconded by Elizabeth Stewart.

Chair recognizes David Stewart who makes a motion to amend Item No. 3, at which time he submits a written amendment to Blaine Small the Secretary of the Crow Tribe. Motion seconded by Victoria White. Question called, and passed unanimously.

Chair calls for a vote on Arlo Dawes motion to accept Item No. 3, with amendment as read. Seconded by Elizabeth Stewart. Madam Chairman declared the motion passed unanimously.

Chair recognized Norman Redwolf who spoke briefly on Crow Tribal issues at hand, council procedures and the relationship between the Crow Tribe and the United States Government.

Madam Chairman Clara Nomee continued on to the next item on the agenda. Item No. 4.

Chair yields the floor to Faron Iron who reads the resolution to Item No. 4. He made a motion to accept Item No. 4, second by Brad Stovall.

Bob Kelly is recognized and he moves to amend Item No. 4. Amendment is seconded by Sylvester "Cardy" Goes Ahead. Bob Kelly submits the written amendment to the Secretary, Blaine Small.

~~Chair calls for a vote on the amendment to Item No. 4 by Bob Kelly and it passed unanimously.~~

~~Madam Chairman Nomee proceeded to the next item on the agenda. Item No. 5. Sylvester "Cardy" Goes Ahead read the amendment. Chair announced the vote called unanimous.~~

Chair recognized Bob Kelly who read Item No. 5 on the agenda. He made a motion to accept Item No. 5. Seconded by Ellis Knows Gun.

Sylvester "Cardy" Goes Ahead was recognized and he spoke in favor of Item No 5. He specified that the tribe needs attorneys for certain issues. He went on to say that the tribe is not trying to get rid of Tow Towe. He further stated that all tribal attorneys could work together.

Chair recognized Victoria White who made a motion to table Item No. 5. Duly seconded by Art Big man.

Madam Chairman Clara Nomee address the council and expressed her loyalty to Tom Towe. She also stated that she was opposed to the hiring of other attorneys.

Chair recognized Art Alden who stated that the tribe should all work together.

Chair recognized Donald Stewart who spoke in favor of Item No. 5.

Chair recognized Tracy Jackson who stated that Tom Towe is running for Senate, and went on to say there will come a time when it will be a conflict of interest.

Chair recognizes Arlo Dawes who makes a clarification on Item No. 5. He further stated that at this point there is a tabling motion, with a second on the floor which is undebatable, without discussion.

The Chair called for a vote on the tabling motion on Item No. 5. Madam Chairman declared the motion passed unanimously.

John Pretty On Top was recognized who then made a motion to adopt, amend and tabling the remaining items on the agenda.

Chair recognized Larry Kindness who called for a point of order on the motion made by John Pretty On Top due to the confusion on the blocking of the items on the agenda.

Madam Chairman Clara Nomee recognized John Pretty On Top who then withdraws his motion. He further made a motion to table Items No. 10, 17 and 18. Duly seconded by Art Alden. Motion is undebatable. Motion passed unanimously with none opposing.

The Chair recognized John Pretty On Top who makes a motion to pass Items No. 6, 8, 9, 13 and 15. Dale Kindness seconds the motion and then moves to amend Item No. 15. Larry Kindness seconds the amendment made by Dale Kindness. Dale Kindness submits his written amendment to Item No. 15 to the Secretary.

Chair recognized Sylvia Stops who spoke in favor of the amendment made by Dale Kindness on Item No. 15.

Chair called for a vote on the amendment to Item No. 15 made by Dale Kindness. The vote carried unanimously, with no opposition.

The Chair moved to vote on the main resolution Item No. 15 as amended. The Chair declared the motion passed unanimously.

John Pretty On Top was recognized and he made a motion to amend Items No. 11, 12 and 16. Duly seconded by Marvin Stewart. At this time John Pretty On Top submits his written amendments to the three items to the Secretary, Blaine Small.

Madam Chairman Clara Nomee recognizes Dale Kindness who then made a motion to amend Item No. 12, which is Amendment No. 2. Ada Bends second it. The written amendment was submitted to Blaine Small by Dale Kindness.

A vote was called on Amendment No. 2 made by Dale Kindness to Item No. 12. The motion passed unanimously.

The Chair called for a vote on the motion made to amend Item No. 12 by John Pretty On Top which was Amendment No. 1. Motion carried unanimously, with no opposition.

The Chair called for a vote on the amendments made by John Pretty On Top to Items No. 11, 12 and 16. Motion carried unanimously.

Madam Chairman Nomee then called for a vote on main resolutions, Items No. 6, 8, 9, 13 and 15 and it passed unanimously.

Chair calls for a vote on the main resolutions, Items No. 11, 12 and 16 with amendments. Motion carried, none oppose.

Chair recognized John Pretty On Top who makes a motion to pass Item No. 7. Seconded by Bob Kelly.

Chair recognized Stephanie White who then made an amendment to Item No. 7. It was second by Jerome White Hip.

Elizabeth Whiteman was recognized by the chair who then made a motion to table Item No. 7. Seconded by Pauline Small.

Vote was called by the Chair to Item No. 7, tabling motion passed unanimously.

Chair recognizes Elizabeth Stewart who made a motion to reconsider and amend Item No. 1, it was second by Donald Stewart. Her amendment is Amendment No. 4 to Item No. 1. Then she submitted her written amendment to the Secretary of the Crow Tribal Council.

Madam Chairman called for a vote on the motion made by Elizabeth Stewart to Item No. 1 with Amendment No. 4. Motion passed unanimously with none opposing.

Chair recognized Art Alden who spoke briefly about our Crow Tribal Courts and how important it is to put it back in order.

A vote was called on the main resolution to Item No. 1, the Chair declared the motion passed unanimously.

Madam Chairman Nomee recognized Victoria White who then made a motion to pass Item No. 14. Second made by David Bad Bear. No discussion to this item.

The Chair called for a vote on Item No. 14. The motion was passed unanimously with no opposition.

Victoria White was recognized by the Chair who then makes a motion to adjourned the meeting. Seconded by Isaac Shane. Motion passed, and the Chair declared the October 13, 1990 Quarterly Crow Tribal Council Meeting adjourned at 7:05 p.m.

Submitted By:

Elaine Small

Elaine Small, Secretary
Crow Tribe of Indians

Noted:

Clara Honee

Clara Honee, Madam Chairman
Crow Tribe of Indians

RESOLUTION NO. _____

A RESOLUTION OF THE CROW TRIBAL COUNCIL REQUESTING THE CROW TRIBAL COUNCIL'S
APPROVAL OF AN EXECUTIVE COMMITTEE PLAN OF OPERATIONS

WHEREAS, pursuant to Article VI, Section 9, of the Crow Tribal Constitution and By Laws, as amended by 62-11, the Crow Tribal Executive Committee was created, and

WHEREAS, as provided in Article I, Section 4 of the By Laws, of the Crow Tribal Constitution and By Laws, it states in part "The duties of all appointed special committees or officer of the Council shall be clearly defined by resolution of the council, and

WHEREAS, in an effort to become a more effective arm of the Crow Tribal Government, the Executive Committee hereby requests the Crow Tribal Council to review and discuss the attached Executive Committee Plan of Operations, and

THEREFORE, BE IT FINALLY RESOLVED, by the Crow Tribal Council, that upon review and discussion of the Executive Committee Plan of Operations in conformance with the Constitution and By Laws, of the Crow Tribal Council, does hereby adopt the attached Executive Committee Plan of Operations.

FINALLY, BE IT RESOLVED, by the Crow Tribal Council, if there are any resolutions that are in conflict with this resolution let them be forever, repealed, and rescinded.

PASSED, ADOPTED AND APPROVED, this 13th day of October, in the year 1990 by _____ votes for passage, and a vote of _____ against.

APPROVED:

Clara Neme, Madam Chairman
Crow Tribal Council

WITNESSED:

NOTED:

Blaine Small, Secretary
Crow Tribal Council

Superintendent, Crow Indian Agency
Bureau of Indian Affairs

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EXECUTIVE COMMITTEE OF THE CROW TRIBE OF INDIANS

PLAN OF OPERATIONS

PREAMBLE

In an effort to become a more effective and responsible arm of the Crow Tribal Government and as provided for by the Crow Tribal Constitution, the Executive Committee (hereafter "Committee") hereby adopts the following Plan of Operations to govern its membership while operating in their official capacity. It is clearly understood by the Committee, that a properly executed Plan of Operation is, in entirety, subject to review and change by the Crow Tribal Council. However, in an attempt to improve the Committee's functions, and therefore improve Tribal Government, it has been deemed necessary to adopt this Plan of Operations to guide the Committee pending further amendment by the Crow Tribal Council.

PURPOSE

The Committee shall work with the four elected Tribal Council Officials (Tribal Chairman; Vice-Chairman, Secretary, and Vice-Secretary) under the general direction of the Crow Tribal Council. (Article VI, Section 9, Tribal Constitution)

ARTICLE I. COMMITTEE MEMBERSHIP, TERMS OF OFFICE

Membership of the Committee shall be composed of fourteen (14) Crow Tribal Members elected to office for a term of two (2) years. Terms of office commence at 8:00 a.m. on the first Monday following the elections for office. Executive Committee Elections will be held on the Second Saturday of May of every odd numbered year. The terms of the Executive Committee members shall expire in two (2) calendar years on the Second Friday in May at 5:00 p.m. (Article VI, Section 9, Tribal Constitution and Tribal Resolution #62-22)

ARTICLE II. VACANCIES AND FILLING SAME

If at any time during the two year term of office, a Committee member resigns, dies, vacates the office, or is impeached from office, the Tribal Secretary, upon notification by the Committee, shall begin immediate preparation to conduct an election in that district to fill the vacancy, or vacancies, created. A member elected to fill a seat vacated as above, shall serve out the remaining term of the original Committee Member. Other than date changes as necessary, the Election for replacement shall be conducted by established election ordinance, Resolution #62-22).

In no event may a Committee Member, and/or any Tribal Official authorize, or delegate to another person not elected to the Committee, the right and responsibility to act in his/her behalf, or to function in any manner as a Committee Member.

ARTICLE III. ELECTION OF COMMITTEE OFFICERS, DUTIES

A. ELECTIONS AND ASSIGNMENT OF DUTIES: At the first meeting of the newly elected Committee, the body shall proceed with the following actions:

1. Elect from within the membership four (4) individuals to serve as Executive Committee Officers, with duties as follows:
 - a) A Chairman;
To chair all meetings of the Executive Committee. To act as spokesman and liason in all matters concerning the business of the Committee and to signature any and all official documents of the Committee;
 - b) A Vice-Chairman;
to assume duties of the Chairman in the case of his/her absence;

- c) A Secretary;
to keep the Official minutes and records of all meetings and activities of the Committee and provide all necessary correspondence from and on behalf of the Committee;
- d) A Vice-Secretary;
to assume duties of the Secretary in the case of his/her absence;

The Elected Executive Officers' terms shall expire automatically upon the date of the next regular Constitutionally mandated election of the Committee members. Vacancies or resignations of the Executive Committee Officers may be filled by the Committee at any appropriate time as occurrence dictates.

2. Appoint by election or through the Committee Chairman, any required number of "sub-committees" consisting of two Executive Committee members each, to work as liason with each recognized Established Committee of the Crow Tribal Council (i.e. Land Resource, Education, etc.) and all future Committees as may be established from time to time, by the Tribal Council. Members serving as liason shall have the following duties:

- a) Provide an informational source between the Committees to which they were assigned, and the Tribal membership, as well as the Tribal Officials;
- b) Provide the Executive Committee with reports concerning the ongoing activities of the respective Committees;
- c) Attend as many meetings of the respective assigned Committees as possible for informational purposes and to become familiar with the functions and operation of the Committee;
- d) Assist in formulation of any pertinent legislation as deemed necessary by the respective Committees;

3. conduct an Orientation for newly elected members, with the participation and assistance of the Crow Tribal Officials and a official representative of the Department of the Interior.
Orientation shall include the following:

- 1. Study and understanding of the Crow Tribal Constitution and By-Laws, and applicable ordinances concerning operation of the Tribal government and various Committees thereof;
- 2. Study and understanding of this Plan of Operation;
- 3. Study of Resolutions of the Crow Tribal Council and the Law and Order Code of the Crow Tribal Court and understanding of the present operational guidelines.

B. PROCEDURES AND VOTING: The Committee shall establish it's own rules of procedure and methods of voting for each meeting. Any member can request and shall be granted a request for a secret ballot vote of the Committee on any issue before the body. Those wishing to address the Committee shall first be recognized by the Committee Chairman. In no event, shall fillibustering or unreasonable discussion be allowed, and the Committee shall expel from the meetings those persons who are disruptive or unreasonably argumentative.

If the Committee deems it necessary in order to conduct the business in an orderly manner, they may restrict attendance to only Tribal Officers, Committee members and other individuals one at a time.

C. DISTRICT REPRESENTATIVE: Committee members must sponsor all resolutions or business items presented them by members from their respective districts. Members of the various districts must present their proposed resolutions or business items to their respective district representative(s). Upon receipt of a proposed resolution or business item, the district representative shall require resolution's author to fully explain the intent or purpose of the resolution and further advise that person that he/she may be called upon by the Committee to give the reasoning for the Resolution. It shall not be

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required of the Author to be present for the Resolution to be accepted for placement of the Agenda by the Committee.

It shall be the duty of the Executive Committee members to keep their respective district Tribal members informed of all pending Resolutions and provide copies for them prior to all Council meetings when possible. Committee Members shall make every effort to properly explain the business of the pending Tribal Council and the content and substance of all Resolutions to be considered. When possible, informational meetings shall be held in the respective districts with all Tribal Members invited to attend.

D. EX-OFFICIO MEMBERS: The four elected Tribal Officers (Tribal Chairman, Vice-Chairman, Secretary, and Vice-Secretary) shall be honorary, non-voting ex-officio members of the Committee and subject to Committee rules.

E. ATTENDANCE AND ABSENCES: Committee members are required to attend all meetings of the Committee and to be promptly on time. If at any time a member is unable to attend a meeting, he must notify the Committee Secretary in advance of his absence, and this must be made in writing. Absences without said written notices shall be regarded as unexcused. Members absent from two consecutive meetings shall be deemed to have vacated their seat and notice shall be issued from the Committee to Tribal Officials requesting that a district election be called to fill the vacancy for the remaining term of the absent member.

All members shall be required to attend any meeting called for a minimum of 50% (fifty percent) of the time the meeting is in session in order to claim per diem and mileage for that meeting.

No meeting called for the purpose of setting the Agenda of a Regular Quarterly Tribal Council will be valid in absence of a quorum consisting of at least 7 (seven) members of the Elected Executive Committee. For a meeting called concerning a "Special Council" as provided for by the Crow Constitution and By-Laws, and only business consisting of 1 (one) item, a legal quorum (7) shall not be required provided that the Chairman of the Executive Committee is in attendance and has been duly notified.

ARTICLE V. SETTING COUNCIL AGENDAS

A. The Crow Tribal Chairman shall send written notice to all Executive Committee members of any pending meeting of the Committee. A verbal request shall also be made by the Tribal Chairman to ascertain that Committee members have been properly notified of the meeting and purpose. All written notices shall be issued and Post Marked at least four days prior to the meeting date.

The Written Notices shall advise the Committee members of the date, time, and place of the pending meeting as well as the purpose.

The Executive Committee shall be responsible for setting the agenda of any Tribal Council meeting to be held in a fashion consistent with the provisions of the Crow Tribal Constitution and receive any items submitted by the Tribal membership for consideration.

At this Executive Session, the Committee Chairman shall preside and be entitled to vote on all matters.

B. ITEMS OF BUSINESS: Business items listed on the agendas for a Tribal Council meeting shall include all items which are submitted by the Crow Tribal Chairman, Superintendent, Bureau of Indian Affairs, and any item submitted with attached original signatures of more than 100 eligible voting Tribal Members. Provided, that the Committee shall verify that all signatures are those of eligible voters enrolled in the Crow Tribe.

If a petition containing over 100 signatures in original ink is submitted to the Committee and any number of signatures are found to be non-eligible, it shall not be grounds to refuse the petition if the remaining signatures constitute a number of 100 or more eligible voting Tribal Members.

C. SETTING NUMERICAL ORDER OF COUNCIL AGENDAS: The agenda items for all Crow Tribal Council meetings shall be established in numerical order, after consultation with the Tribal Officials, and upon a majority vote of the Committee. The Executive Committee shall make the final determination of the Order of the Agenda and placement of all Resolutions thereupon. The Committee Chairman and Committee Secretary shall attest to the numerical order of the established agenda and forward the same to the Crow Tribal Secretary for posting. (Article VI, Section 4, Tribal Constitution)

D. REQUESTS FOR COUNCIL MEETINGS: Should any Tribal member request a Tribal Council meeting, the request must be made in writing and shall clearly state the nature of the business to be presented to the Tribal Council. (Article VI, Section 4, Tribal Constitution)

E. REQUEST FOR COUNCIL MEETING BY DEPARTMENT OF THE INTERIOR: Upon receipt of written request from the Secretary of the Interior, or his/her lawful representative, to include any matter on the agenda of a Tribal Council meeting, said written request being received by the Tribal Chairman or Committee, the Tribal Chairman shall convene a meeting for the purpose of setting a date for a Tribal Council to consider the Interior's request. The meeting date for the Council shall be set only with the concurrence of the Tribal Chairman.

F. DISPUTES, SETTLING SAME: If at any time a dispute should arise concerning the duties, functions of the Committee and or guidelines of this Plan of Operation, the Committee, by majority vote of those attending, shall determine a method by which to settle said dispute. It shall not be a recommended course of action to call upon Officials of the Tribal Administration or Bureau of Indian Affairs for dispute settlement. All determinations made by the Committee through majority vote shall be the final administrative relief and settlement of any disputed issue, appealable only to the Crow Tribal Council.

G. COMPENSATION: The Executive Committee Members shall be justly compensated for all time required of them in performance of their duties as herein provided. The mileage and per diem shall be at a rate commensurate to all other Tribal Council Committees for each meeting required. All other duties required herein or as deemed necessary by Officials of the Crow Tribal Council shall require a minimum of \$8.00/hr served and appropriate mileage, until updated from time to time by action and approval of the Crow Tribal Council.

RATIFICATION

This Plan of Operation of the Crow Tribal Executive Committee shall be considered in effect when passed and accepted by the Crow Tribal Council and properly executed by the Officials of the Crow Tribal Council as required by the Tribal Constitution and By-Laws.