

**CROW TRIBAL LEGISLATURE
APRIL 26, 2007 SPECIAL SESSION**

JOINT ACTION RESOLUTION NO. JAR07-05

**INTRODUCED BY CARL E. VENNE, CHAIRMAN
CROW TRIBAL EXECUTIVE BRANCH**

**JOINT ACTION RESOLUTION OF THE CROW TRIBAL LEGISLATURE
AND THE CROW TRIBAL EXECUTIVE BRANCH ENTITLED:**

**“RESOLUTION REQUESTING THE BUREAU OF INDIAN AFFAIRS
TO MAKE A TRUST TRANSFER OF THE WOLF MOUNTAIN
LOOKOUT TOWER LAND (GOVERNMENT TRACT 6113) IN
CONNECTION WITH ITS DISPOSAL OF SUCH EXCESS FEDERAL
PROPERTY”**

WHEREAS, the Bureau of Indian Affairs has determined that certain real property located on the Crow Indian Reservation and described as Government Lot 6113 (commonly known as the Wolf Mountain Lookout) is excess and eligible for disposal to the Secretary of the Interior, without compensation, for the benefit and use of the Crow Tribe of Indians pursuant to 40 U.S.C. Section 523; and

WHEREAS, the Crow Tribe has discussed possible future plans with the Bureau, the Department of Homeland Security, the State of Montana, Big Horn County, and other governmental entities and agencies for developing a state-of-the-art communications center on the Wolf Mountain Lookout property that would connect the Tribe and all such agencies into a state-wide communications system; and

WHEREAS, the Crow Tribe wishes to pursue the communications center project and other possible uses for the Wolf Mountain Lookout, and therefore wishes to request that the Bureau of Indian Affairs and the General Services Administration to transfer the property to the Crow Tribe in trust without compensation; and

WHEREAS, the property is currently subject to an Easement for Right-of-Way recorded as BIA document No. 202-29628 granting the use of approximately 0.9 acres of the property for communications facilities until September 1, 2024 to Montana 9-Carbon Limited Partnership (which has apparently been assigned to Verizon)(the “Verizon easement”), the Bureau of Indian Affairs has communications facilities on the property, and other local governmental and non-governmental entities currently have communications facilities on the property which are not covered by formal agreements with the BIA; and

WHEREAS, the Chairman of the Executive Branch has the authority and responsibility pursuant to the "enumerated powers" in Article IV, Section 3(a) of the Constitution and Bylaws of the Crow Tribe to "represent the Crow Tribe of Indians in negotiations with Federal, State and local governments and other agencies, corporations, associations, or individuals in matters of welfare, education, recreation, social services, and economic development affecting the Crow Tribe of Indians," and in Section 3(f) to "negotiate and approve or prevent any sale, disposition, lease or encumbrance of Tribal lands, interests in lands or other Tribal assets, including buffalo, minerals, gas and oil with final approval granted by the Legislative Branch;" and

WHEREAS, the Legislative Branch has authority and responsibility pursuant to Article V, Section 2(d) of the Constitution "to grant final approval or disapproval of items negotiated by the Executive Branch of Government pertinent to the sale, disposition, lease or encumbrance of Tribal lands, interests in lands or mineral assets provided that a process for such approval or disapproval may be established by legislation;"

NOW, THEREFORE, BE IT RESOLVED BY THE CROW TRIBAL LEGISLATURE AND THE CROW TRIBAL EXECUTIVE BRANCH:

1. That the Crow Tribal Legislative and Executive Branches of the Crow Tribal Government hereby request that the Bureau of Indian Affairs transfer the below-described tract to the Crow Tribe in trust pursuant to Government procedures for the disposal of excess and surplus Federal Property:

Government Tract 6113: S½NW¼ and SW¼NE¼ of Section 15, Township 6 South, Range 37 East, MPM, containing 120.0 acres (commonly known as the Wolf Mountain Lookout); and

2. That the Executive Branch work with the BIA and/or GSA to negotiate, prepare and assemble all documents, agreements and information relating to the transfer, including but not limited to the transfer documents, existing encumbrances and use agreements, if any, environmental site assessment, and all other information pertinent to the transfer of the property, and present such final documents and information to the Legislature prior to acceptance of the property by the Tribe; and


3. That the final acceptance of the property by the Crow Tribe shall be conditioned upon and subject to final approved by the Legislature.

CERTIFICATION

I hereby certify that this Joint Action Resolution entitled **“RESOLUTION REQUESTING THE BUREAU OF INDIAN AFFAIRS TO MAKE A TRUST TRANSFER OF THE WOLF MOUNTAIN LOOKOUT TOWER LAND (GOVERNMENT TRACT 6113) IN CONNECTION WITH ITS DISPOSAL OF SUCH EXCESS FEDERAL PROPERTY”** was duly enacted by the Crow Tribal Legislature with a vote of 15 in favor 0 opposed, and 0 abstaining and that a quorum was present on this 26th day of April, 2007.


Speaker of the House
Crow Tribal Legislature

ATTEST:


Secretary
Crow Tribal Legislature



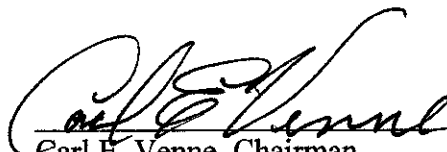
EXECUTIVE ACTION

I hereby

approve or

veto.

This Joint Action Resolution for **“RESOLUTION REQUESTING THE BUREAU OF INDIAN AFFAIRS TO MAKE A TRUST TRANSFER OF THE WOLF MOUNTAIN LOOKOUT TOWER LAND (GOVERNMENT TRACT 6113) IN CONNECTION WITH ITS DISPOSAL OF SUCH EXCESS FEDERAL PROPERTY”** pursuant to the authority vested in the Chairman of the Crow Tribe by Article V, Section 8 of the Constitution and Bylaws of the Crow Tribe or Indians, on this 5 day of May, 2007.


Carl E. Venne, Chairman
Crow Tribal Executive Branch

Trust Transfer of the Wolf Mountain Lookout Tower Land (Gov't Tract 6113)

Bill or Resolution Number JAR07-05 Introduced by Executive Date of Vote 4/26/07
Branch

Representative:	Yes	No	Abstained
L. Plain Bull	<input checked="" type="checkbox"/>		
O. Costa	<input checked="" type="checkbox"/>		
V. Crooked Arm	<input checked="" type="checkbox"/>		
M. Not Afraid	<input checked="" type="checkbox"/>		
R. Iron	<input checked="" type="checkbox"/>		
B. House	<input checked="" type="checkbox"/>		
E. Fighter	<input checked="" type="checkbox"/>		
L. Costa	<input checked="" type="checkbox"/>		
L. Hogan			
S. Fitzpatrick	<input checked="" type="checkbox"/>		
K. Real Bird	<input checked="" type="checkbox"/>		
M. Covers Up	<input checked="" type="checkbox"/>		
L. Not Afraid			
B. Shane	<input checked="" type="checkbox"/>		
J. Stone	<input checked="" type="checkbox"/>		
D. Wilson			
R. Old Crow <i>Secretary of the House</i>	<input checked="" type="checkbox"/>		
D. Goes Ahead <i>Speaker of the House</i>	<input checked="" type="checkbox"/>		
Totals:	<u>15</u>	<u>0</u>	<u>0</u>

Result of Vote:

Passed Not Passed Tabled Veto Override

Signature Officer: Carbon Dross Date: 4-26-07