

**CROW TRIBAL LEGISLATURE
JULY 24, 2017 SPECIAL SESSION**

JOINT ACTION RESOLUTION NO. JAR17-19

INTRODUCED BY ALVIN NOT AFRAID, JR., CHAIRMAN
CROW TRIBAL EXECUTIVE BRANCH

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

**“RESOLUTION APPROVING THE CROW TRIBE’S PURCHASE OF ALLOTTED
TRUST LANDS USING LBBP LEASE REVENUES PURSUANT TO CLB15-06.”**

WHEREAS, the land base of the Crow Tribe is the foundation for maintaining Tribal sovereignty over Reservation lands and the preservation of Crow culture and traditions, and the Crow Tribe is committed to securing its land base and supporting economic development within the Crow Reservation; and

WHEREAS, pursuant to the Claims Resolution Act of 2010, Pub. L. 111-291, 124 Stat. 3064 (Dec. 8, 2010), approving the settlement of the *Cobell* litigation, the Secretary of the Interior has established and implemented the “Land Buy-Back Program for Tribal Nations,” whereby settlement proceeds are used to purchase individual interests in allotted lands by the United States in trust for the Tribe on whose Reservation such lands are located; and

WHEREAS, pursuant to the Land Buy-Back Program, the Secretary has acquired more than 240,000 acres of individual interests in allotted lands on the Crow Indian Reservation, and such interests acquired in trust for the Crow Tribe currently generate in excess of \$950,000 per year in lease revenues (the “LBBP Lease Revenues”); and

WHEREAS, CLB15-06, enacted by the Legislative Branch and approved by the Chairman of the Executive Branch on July 16, 2015, authorized and directed the use of all LBBP Lease Revenues received by the Crow Tribe for the purchase of lands, and interests in land located on or near the Crow Indian Reservation, including business properties; repairs, improvements and initial working capital for Tribal economic development projects; and as security for loans used for such purposes; and

WHEREAS, CLB15-06 further directed that all such LBBP Lease Revenues be segregated in a new proceeds of labor account established by the BIA and OST, and deposited in a special Tribal investment account, to the extent they are not utilized for such loan payments; and

WHEREAS, JAR15-14, enacted by the Legislative Branch on October 14, 2015 and approved by the Chairman of the Executive Branch on October 15, 2015, authorized a \$3.3 million loan (the “Loan”) for the purchase of the “Battlefield Express” business property, with the loan secured by and repaid from LBBP Lease Revenues; and

WHEREAS, the Executive Branch has identified and negotiated for the purchase by the Tribe, at appraised value as determined by BIA and OST, of certain tracts of individually-owned Trust Lands on the Crow Reservation as further described in the Appendix attached hereto and incorporated herein (the “Properties”); and

WHEREAS, the Chairman of the Executive Branch has authority and responsibility pursuant to the “enumerated powers” in Article IV, Section 3(a) of the Constitution and Bylaws of the Crow Tribe of Indians to represent the Crow Tribe in negotiations with Federal, State and local government and other agencies, corporation, associations, or individuals in matters of welfare affecting the Crow Tribe; and

WHEREAS, pursuant to Article V, Section 2(a) of the 2001 Crow Tribal Constitution, the Crow Tribal Legislature (hereinafter, the “Legislature”) is vested with the power and duty to promulgate and adopt laws, resolutions, ordinances, codes, regulations, and guidelines in accordance with the Constitution and federal laws for the governance of the Crow Tribe of Indians, and for providing for the manner of the sale, disposition, lease or encumbrance of tribal lands, interests in lands or other tribal assets; and pursuant to Article V, Section 2(e) to grant final approval or disapproval of the annual budget prepared by the Executive Branch; and

WHEREAS, it is in the best interests of the Crow Tribe and Tribal members for the Tribe to use the LBBP Lease Revenues for purchasing the Properties;

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

Section 1. That the Executive Branch is hereby authorized to use the LBBP Lease Revenues, not otherwise required for repayment of the Loan, to purchase the Properties consisting of the allotted trust lands as further described in the Appendix attached hereto and incorporated into this Resolution, and to draw down the amount of \$787,000 from the PL Account established for LBBP Lease Revenues.

Section 2. For purposes of optimizing on tribal land purchases, the Crow Tribe shall establish priorities for the use of the land within sixty (60) days of its acquisition. In the event, that the Crow Tribe chooses to lease the land within that timeframe, the BIA shall include a public open bidding process.

Section 3. Upon request by the Chairman of the Executive Branch, additional land purchases using LBBP Lease Revenues pursuant to CLB15-06 shall be authorized by Legislative Resolution.

Section 4. That the Tribal Budget for the Third and Fourth Quarters of FY2017 enacted by CLB17-02 is hereby amended to approve the expenditure of LBBP Lease Revenues for the purchases of the Properties as authorized by this Resolution.

Section 5. That this Action shall only be executed exclusively under the 2001 Constitution and Bylaws of the Crow Tribe of Indians. Actions taken outside the processes of the 2001 Constitution shall be without any force and effect and void on their face.

Section 6. That the authorization granted herein is effective on the date of approval of this Resolution, and is subject only to such further approvals as are required by Federal law.

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APPENDIX

CERTIFICATION

I hereby certify that this Joint Action Resolution entitled “**RESOLUTION APPROVING THE CROW TRIBE’S PURCHASE OF ALLOTTED TRUST LANDS USING LBBP LEASE REVENUES PURSUANT TO CLB15-06**” was duly approved by the Crow Tribal Legislature with a vote of 13 in favor, 0 opposed, and 0 abstained, and that a quorum was present on this 24th day of August, 2017.



Senator Eric Birdinground
Speaker of the House
Crow Tribal Legislature

ATTEST:



Senator Gordon Real Bird, Jr.
Secretary
Crow Tribal Legislature



EXECUTIVE ACTION

I hereby

 X **APPROVE**

 VETO

this Joint Action Resolution Entitled “**RESOLUTION APPROVING THE CROW TRIBE’S PURCHASE OF ALLOTTED TRUST LANDS USING LBBP LEASE REVENUES PURSUANT TO CLB15-06**” 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 of Indians, on this 28th day of August, 2017.



Alvin Not Afraid, Jr., Chairman
Crow Tribal Executive Branch

“JOINT ACTION RESOLUTION APPROVING THE CROW TRIBE’S PURCHASE OF ALLOTTED TRUST LANDS USING LBBP LEASE REVENUES PURSUANT TO CLB15-06.”

Bill or Resolution: JAR17-19 **Introduced by:** Chairman Alvin NotAfraid, Jr. **Date of Vote:** 8/24/2017
Number

REPRESENTATIVE:	Yes	No	Abstained
G. Three Irons	_____	_____	_____
B. Rogers	X	_____	_____
F. White Clay	X	_____	_____
P. Hill	X	_____	_____
S. Real Bird	X	_____	_____
V. Nomee	_____	_____	_____
T. Yellowtail	X	_____	_____
T. Gros Ventre	_____	_____	_____
P. Alden, Jr.	_____	_____	_____
E. Deputy	X	_____	_____
P. Spotted Horse, Sr.	_____	_____	_____
L. DeCrane	X	_____	_____
J. Demontiney	X	_____	_____
B. Hugs	X	_____	_____
B. Good Luck	X	_____	_____
H. Male Bear, Jr.	X	_____	_____
G. Real Bird, Jr.	X	_____	_____
Secretary of the House			
Eric Birdinground	X	_____	_____
Speaker of the House			
Total:	13	0	0

Result of Vote:

Passed

Not Passed

Tabled

Veto-Override



 Senator Eric Birdinground Date
 Speaker of the House



 Senator Gordon Real Bird, Jr. Date
 Secretary of the House

Crow Nation Land Purchase

Allocation #	Sec.	Town/Ship	Range	Legal Description	Applicant	Total Acreage	Value Per/Acre	Total Value	Applicant %	Applicant Share	Tribal Acreage Accrued	Total Cost
2935	Sec. 26	T.004.005	R.027.00E	SW	[REDACTED]	160	\$ 365.00	\$ 58,400.00	0.333333	\$19,466.67		
3523	Sec. 24	T.004.005	R.027.00E	E SW	[REDACTED]	80						
	Sec. 25	T.004.005	R.027.00E	SW NE	[REDACTED]	40						
				NW	[REDACTED]	160						
				S	[REDACTED]	320						
	Sec. 26	T.004.005	R.027.00E	N	[REDACTED]	320						
	Sec. 36	T.004.005	R.027.00E	N N NW	[REDACTED]	40						
					TOTAL Acre	960	\$ 405.00	\$ 388,800.00	0.333333	\$129,600.00		
1799-H	Sec. 36	T.004.005	R.027.00E	NE	[REDACTED]	160						
				S	[REDACTED]	320						
1903	Sec. 13	T.004.005	R.027.00E	N SE	TOTAL Acre	480	\$ 375.00	\$ 180,000.00	0.333333	\$60,000.00		
1903-1	Sec. 18	T.004.005	R.028.00E	E SW	[REDACTED]	80	\$ 300.00	\$ 24,000.00	0.333333	\$8,000.00		
				SE	[REDACTED]	160						
				Lot 3= NW SW	[REDACTED]	35.65						
				Lot 4= SW SW	[REDACTED]	35.83						
	Sec. 19	T.004.005	R.028.00E	E NW	[REDACTED]	80						
				NE	[REDACTED]	160						
				Lot 1= NW NW	[REDACTED]	35.95						
				Lot 2= SW NW	[REDACTED]	35.99						
2934	Sec. 26	T.004.005	R.027.00E	SE	TOTAL ACRE	623.42	\$ 250.07	\$ 155,900.00	0.333333	\$51,966.67		
2014	Sec. 29	T.006.005	R.029.00E	NW NW	[REDACTED]	160	\$ 370.00	\$ 59,200.00	0.333333	\$19,733.33	821.14	\$288,766.67
2022	Sec. 28	T.009.005	R.034.00E	E2E2NW/E2E2,W2E2E2E2,E2SW4,W2E2	[REDACTED]	40	\$ 375.00	\$ 15,000.00	1.000000	\$15,000.00	40.00	\$15,000.00
	Sec. 33	T.009.005	R.034.00E	N2SE1/4,NE1/4, Lot 3 (SWSE) Lot 4 (SESE)	[REDACTED]							
3238	Sec. 26	T.004.005	R.037.00E	S SW	TOTAL Acre	681.32	\$ 353.14	\$ 240,600.00	1.000000	\$240,600.00	681.32	\$240,600.00
	Sec. 34	T.004.005	R.037.00E	N NE NE	[REDACTED]	80						
	Sec. 35	T.004.005	R.037.00E	SE NW	[REDACTED]	20						
				W SE	[REDACTED]	40						
				SW	[REDACTED]	80						
					TOTAL Acre	160						
3486-C	Sec. 33	T.001.005	R.034.00E	SE NW	TOTAL Acre	380	\$ 868.42	\$ 330,000.00	0.333333	\$110,000.00	126.66	\$110,000.00
774-C	Sec. 24	T.009.005	R.034.00E	S S N SW	[REDACTED]	40	\$ 1,225.00	\$ 49,000.00	1.000000	\$49,000.00	40.00	\$49,000.00
				S SW	[REDACTED]	20						
					TOTAL Acre	100	\$ 480.00	\$ 48,000.00	0.421300	\$20,222.40	42.00	\$20,222.40

