

**CROW TRIBAL LEGISLATURE  
APRIL 2020 REGULAR SESSION**

**JOINT ACTION RESOLUTION NO. JAR 20-02**

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

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

**RESOLUTION AUTHORIZING EXPENDITURE OF LAND BUY BACK PROGRAM  
REVENUES FOR TRIBAL EMERGENCY SERVICES DUE TO COVID-19,  
CORONAVIRUS PANDEMIC**

**WHEREAS**, Article IV, Section 3(d) of the Crow Tribal Constitution and Bylaws requires the Executive Branch of the Crow Tribal Government to prepare an annual budget for the operation of the Tribal Government, including separate budgets for the Legislative and Judicial Branches, for approval by the Legislative Branch and the Secretary of the Interior; and

**WHEREAS**, Article V, Section 2(e) of the Constitution empowers the Legislative Branch to grant final approval or disapproval of the annual budget prepared by the Executive Branch; and

**WHEREAS**, CLB 18-04 providing approval for the FY2019 Crow Tribal Budget, enacted by the Legislature on November 15, 2018 and approved by the Chairman of Executive Branch on November 16, 2018; and

**WHEREAS**, as of March 15, 2020 the Crow Tribe declared a state of emergency for the Crow Indian Reservation due to the COVID-19 Novel Coronavirus; and

**WHEREAS**, in March of 2020, the Montana Governor Steve Bullock issued a Directive requiring Montanans to “stay home” and temporarily closes all nonessential businesses and operations to curtail the spread of COVID-19.

**WHEREAS**, since February of 2020, the Crow Tribe’s Administration has also consulted with public health experts, health care providers, and emergency management professionals, and has determined that to protect public health and human safety, it is essential, to the maximum extent possible, individuals stay at home or at their place of residence,”

**WHEREAS**, in the first week of April, 2020 the Crow Executive Branch has informed federal officials that the Crow Tribe does not have the adequate medical personnel, staff, facilities and overall resources to address the growing concerns of the COVID-19 pandemic. The Crow Tribe’s reservation spans over 2 million acres and has limited inpatient health care

facilities and is home to more than 7,000 tribal members, the Crow Tribe stands to suffer a potential higher rate of spread and a higher rate of mortality. Poverty, limited housing and limited sources for food and water place the Tribe in a higher than normal rate of risk; and

**WHEREAS**, on April 11, 2020, Crow Tribe officials have concluded that the Crow Tribe anticipates the spread of COVID-19 coronavirus since a member of the Crow Tribe residing outside the exterior boundaries in Yellowstone County has been confirmed to contracted the virus. Yellowstone County has 40 confirmed COVID-19 cases and Montana has 332 confirmed COVID-19 cases. Portions of Yellowstone County are also found within the Crow Indian Reservation exterior boundaries; and

**WHEREAS**, the Crow Tribe has indicated that as more time passes and as more cases are confirmed around the Crow Reservation it is not a question of if COVID-19 Coronavirus will reach the Crow Indian Reservation, it is question of when; and

**WHEREAS**, The Crow Tribe has suffered a reduction in revenue from the tribal enterprises and natural resources production due to the COVID-19 pandemic. Limited federal funds alone are insufficient to support essential tribal governmental operations and additional COVID-19 readiness and response efforts. For these reasons, the Crow Tribe is requesting funds from the U.S. Federal Government and other sources; and

**WHEREAS**, there are currently funds available in the amount of \$1,792,880 from proceeds of labor account, held by the BIA-Office of Special Trustee, consisting of lease revenue from Land Buy-Back Program Lands (“LBBP Lease Revenue”); and

**WHEREAS**, Section 1 of CLB 15-06, passed and approved July 16, 2015, identifies that LBBP lease revenue are dedicated to the following uses: “the purchase of lands and interests in lands...for purposes of Tribal economic development...for repairs, improvements, and initial working capital for Tribal economic development projects” and “as security, collateral and/or a source of repayment for loans or other types of financing...”; and

**WHEREAS**, Section 3 of CLB 15-06 provides authorization for, and direction, to, the Secretary of the Interior, acting through the Bureau of Indian Affairs and the Office of Special Trustee for American Indians, to, among other things, “remit such LBBP Lease Revenues to the Crow Tribe for use pursuant to [CLB 15-06] and other applicable Tribal law as determined and administered by the Crow Tribe in its sole discretion”; and

**WHEREAS**, the Executive Branch can tie the COVID-19 Coronavirus pandemic to a direct negative impact to the Crow Tribe’s economy and that LBBP Lease funds can be used for tribal economic development pursuant to the Tribe’s discretionary authority identified in CLB 15-06;

**NOW, THEREFORE, BE IT RESOLVED BY THE CROW TRIBAL LEGISLATURE:**

**Section 1.** That the expenditure by the Executive Branch of LBBP Lease Revenue is hereby authorized as follows:

(a)	Crow Executive Branch-General Fund,	\$825,000.00
	(1) Operations	(\$475,000)
	(2) Incident Command Team	(\$350,000)
(b)	Crow Tribal Legislative Branch,	\$100,000.00
	(2) Operations	(\$100,000)
(c)	Crow Executive Branch-Funeral Assistance,	\$75,000.00

**Total \$1,000,000.00**

**Section 2.** That the FY 2020 Budget, approved by CLB 19-04, is hereby amended to approve additional expenditures from the LBBP Lease Revenues as authorized by this Resolution provided that LBBP funds will be reimbursed from FEMA funds at 75%.

**Section 3.** That the authorization granted herein is effective immediately on the date of approval of this Resolution.


**Section 4.** That the Secretary of the Interior, action through the Bureau of Indian Affairs and the Office of Special Trustee for American Indians, shall be, and hereby is, requested, and directed, to remit the revenues identified herein for the specific, one-time discretionary non-Economic Development related expenditures authorized in this Joint Action Resolution.

**[Remainder of page left blank intentionally.]**




## CERTIFICATION

I hereby certify that this Joint Action Resolution entitled **“RESOLUTION AUTHORIZING EXPENDITURE OF LAND BUY BACK PROGRAM REVENUES FOR TRIBAL EMERGENCY SERVICES DUE TO COVID-19, CORONAVIRUS PANDEMIC”** was duly approved by the Crow Tribal Legislature with a vote of 14 in favor, 0 opposed, and 0 abstaining, and that a quorum was present on this 14<sup>th</sup> day of April, 2020.

  
\_\_\_\_\_  
Senator Thomas Yellowtail  
Speaker of the House  
Crow Tribal Legislature

ATTEST:

  
\_\_\_\_\_  
Senator Brandon Good Luck  
Secretary of the House  
Crow Tribal Legislature

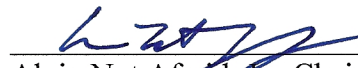
## EXECUTIVE ACTION

I hereby:

  
\_\_\_\_\_  
**APPROVE**

\_\_\_\_\_  
**VETO**

this Joint Action Resolution entitled **“RESOLUTION AUTHORIZING EXPENDITURE OF LAND BUY BACK PROGRAM REVENUES FOR TRIBAL EMERGENCY SERVICES DUE TO COVID-19, CORONAVIRUS PANDEMIC”** 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 15<sup>th</sup> day of April, 2020.

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



**RESOLUTION AUTHORIZING EXPENDITURE OF LAND BUY BACK PROGRAM REVENUES FOR  
TRIBAL EMERGENCY SERVICES DUE TO COVID-19, CORONAVIRUS PANDEMIC**

Bill or Resolution: JAR 20-02 Introduced by: Alvin Not Afraid, Jr. Date of Vote 4/14/2020

REPRESENTATIVE:	Yes	No	Abstain
M. White Clay	<u>X</u>	<u>          </u>	<u>          </u>
D. Spotted	<u>X</u>	<u>          </u>	<u>          </u>
F. Whiteclay	<u>          </u>	<u>          </u>	<u>          </u>
Y. Little Light	<u>X</u>	<u>          </u>	<u>          </u>
L. Hogan	<u>X</u>	<u>          </u>	<u>          </u>
B. Brown	<u>X</u>	<u>          </u>	<u>          </u>
H. Small	<u>X</u>	<u>          </u>	<u>          </u>
T. Gros Ventre	<u>          </u>	<u>          </u>	<u>          </u>
M. Not Afraid	<u>X</u>	<u>          </u>	<u>          </u>
G. Bouyer	<u>          </u>	<u>          </u>	<u>          </u>
T. Plainfeather	<u>X</u>	<u>          </u>	<u>          </u>
L. DeCrane	<u>          </u>	<u>          </u>	<u>          </u>
S. DeCrane	<u>X</u>	<u>          </u>	<u>          </u>
B. Hugs	<u>X</u>	<u>          </u>	<u>          </u>
N. Old Crow	<u>X</u>	<u>          </u>	<u>          </u>
H. Male Bear-Stone, Jr	<u>X</u>	<u>          </u>	<u>          </u>
T. Yellowtail	<u>X</u>	<u>          </u>	<u>          </u>
<i>Speaker of the House</i>			
B. Good Luck	<u>X</u>	<u>          </u>	<u>          </u>
<i>Secretary of the House</i>			
 TOTAL	 <u>14</u>	 <u>0</u>	 <u>0</u>

Result of Vote:

**Passed**

Not Passed

Tabled

Veto-Override



Senator Thomas Yellowtail

Speaker of the House

Crow Tribal Legislative Branch

4.15.20

Date



Senator Brandon Good Luck

Secretary of the House

Crow Tribal Legislative Branch

Date