

JUNE 29, 2011 SPECIAL SESSION
OF THE CROW TRIBAL LEGISLATURE

LR NO. 11-08

INTRODUCED BY CROW TRIBAL LEGISLATURE

BEING A LEGISLATIVE RESOLUTION TITLED:

“A Resolution of the Crow Tribal Legislature to call a meeting of the Crow Tribal General Council for the purpose of receiving reports from the Executive Branch during the July, 2011 Regular Session of the Legislature, and for the purpose of demanding that the Chairman of the Crow Tribe fully report and account for the funds of the Tribe.”

Whereas, the Crow Tribe of Indians believe in an open and transparent government, especially the right of the people to be fully advised of the finances of the Tribe, and

Whereas the Chairman of the Crow Tribe has repeatedly refused to fully account to the Legislature for the income and expenses of the Crow Tribe, thus blocking the Legislature from the exercise its Constitutional responsibility for the budget of the Crow Tribe as provided in Article 5, Section 5, (e) of the Crow Constitution, and

Whereas the Chairman has brought suit in the Crow Tribal Court to block the efforts of the Legislature to budget the expenditures of the Crow Tribe, as provided for in the Crow Constitution, and

Whereas members of the Tribe have the right to transparency in their Tribal government, together with the right to know the source(s), amounts and details of the expenditures of Tribal monies:

Now Therefore, Be It Resolved by the Crow Tribal Legislature, meeting in Special Session for this purpose;

Section 1: That there be a meeting of the members of the Crow Tribal General Council, said meeting to be chaired by the Speaker of the Crow Tribal Legislature, to be held on July 14, 2011 at the Reno Hall at Crow Agency, Montana at 9:30 a.m. and

Section 2: That the agenda of the said meeting of the Crow Tribal General Council shall be:

a. To demand that the Executive Branch including the CPA/Comptroller of the Crow Tribe shall within 10 days of said meeting, release to the Crow people, through the Crow Tribal Legislature, a complete list of any and all money received by the Crow Tribe from all sources, including, but not limited to money received from any

governmental entity whatsoever, or from any private or business source(s), in the fiscal year commencing October 1, 2010; and

b. To demand that the Executive Branch of the Crow Tribe shall within 10 days of said meeting, release to the Crow people, through the Crow Tribal Legislature, a complete statement of any and all money spent by the Crow Tribe, including but not limited to salaries of any and all elected officials, employees, and contractors; all expenses, including travel related expenditures (or money committed to be spent), for and all purposes, whatsoever, in the fiscal year commencing October 1, 2010; and

c. To publicly disclose all the financial reports and disclosures identified in “a” and “b” above, to the intent that there be full disclosure of all of the finances of the Tribal government to every tribal member, where ever situated; and

d. A similar accounting of income and expenses shall be provided on the 1st of each April and October thereafter, forever; and

e. Failure to provide said accounting as provided in “a”, “b”, “c” and “d” above, certified to be true and correct by a Certified Public Accountant, licensed by any state of the United States, shall be a criminal act by the Chairman of the Crow Tribe, which shall be punished, be fined and imprisonment to the maximum extent provided by Crow Tribal Law and further shall be a basis for removing the Chairman from office for breach of his/her official duty of office; and

f. That the Crow Legislature shall be directed to commence of recall petition, to be conducted in a manner to be determined by the Crow Tribal Legislature to recall/remove the Crow Tribal Chairman – Cedric Black Eagle -- from office as provided in Article 8, Section 3, of the Crow Constitution; and

g. That complaint and petition be made to the Secretary of the Department of Interior of the United States and its Office of Inspector General for the review and audit of all federal programs, grants and contracts extended to the Crow Tribe and administered by the Crow Tribe; and

h. That complaint and petition be made to the United States Attorney, for Montana, in Billings, Montana asking for an investigation and review of the financial activities of the Crow Tribal Chairman and Executive Branch of the Crow Tribe, upon information and belief that federal law has been violated in the use, administration and accounting of federal funds by the Executive Branch of the Crow Tribe; and

i. That copies of the complaints and petitions in “g” and “h” above be forwarded to Senators Baucus and Tester and Representative Rehberg and or successors’ and appropriate news media.; and

j. That all court actions heretofore brought by the Executive Branch against the Legislative Branch in the Crow Tribal Court or any Court whatsoever, shall be immediately terminated and dismissed, with prejudice; and

k. That the Crow Tribal Legislature be authorized to bring any action to enforce the resolutions of the Crow Tribal General Council directly in United States Federal Court, in Billings, Montana.

l. That this Resolution shall be codified by the Secretary of the Crow Legislature.

m. That this Resolution shall take immediate effect of law upon passage by the Crow Legislature, on signing by the Speaker of the Legislature and the Secretary of the Legislature.

CERTIFICATION

I hereby certify that the **LR 11-08** was duly approved by the Crow Tribal Legislature with a vote of 15 in favor, 0 opposed, and 0 abstained and that a quorum was present on this 29th day of June, 2011.

Senator Manuel Covers Up, Sr.
Speaker of the House
Crow Tribal Legislature

ATTEST:

Senator Patrick Alden, Jr.
Secretary
Crow Tribal Legislature