

Chairman Kevin Wright



Tribal Administration
187 Oyate circle
Lower Brule, SD 57548
Phone: (605) 473-5561
Fax: (605) 473-5554

MEMORANDUM

April 21, 2015

TO: Patricia Lundell
LBST Employee

RE: LBST Financial Records

From: Kevin Wright
LBST Chairman

This letter will serve as a directive from the Chairman's Office to release and make available all financial records, audits, and related information to the Lower Brule Sioux Tribal Council effective immediately.

This request applies to financial information of the Lower Brule Sioux Tribe, the Tribal Government, all private enterprises owned by the Tribe, such as, but not limited to, the Lower Brule Farm Corporation, Lower Brule Corporation, and the Golden Buffalo Casino.

As you are aware, Article VI(d) of the Lower Brule Tribal Constitution authorizes the Tribal Council to "appropriate for public purposes of the reservation any available funds." Similarly, Article VI(p) of the Tribal Constitution authorizes the Tribal Council "[t]o manage any and all economic affairs and enterprises of the Lower Brule Sioux Tribe...and to use tribal funds or other tribal resources for such purposes." For these reasons, access to financial information regarding the Tribe is essential for responsible oversight and management of Tribal resources by the Tribal Council.

Under Article I, Section 3 of the Bylaws of the Lower Brule Sioux Tribe, that is part of the Constitution, the Treasurer of the Tribal Council "shall accept, receive, receipt for, preserve, and safeguard all funds in the custody of the Tribal Council, whether same be tribal funds or special funds for which the Tribal Council is acting as trustee or custodian. He shall deposit all funds in such bank or elsewhere as directed by the Tribal Council and shall make and preserve a faithful record of such funds and report on all receipts and expenditures and the amount of all funds in his possession or custody, such report being made in writing to the Tribal Council at regular meetings and such other times as requested by the Tribal

Council. He shall not pay out or otherwise disburse any funds in his possession or custody, except when properly authorized to do so by resolution duly passed by the Tribal Council."

Additionally, Article I, Section 3 of the same Bylaws states that the "books and records of the Treasurer shall be audited at least once each year by a competent auditor employed by the Tribal Council and at such times as the Tribal Council or Assistant Secretary of the Interior may direct."

Thus, the Chairman and other Tribal Council members are legally required to oversee, manage, and disburse the funds of the Lower Brule Sioux Tribe, federal funds, and those of the Tribe's business enterprises. In order to fulfill this legal obligation, Tribal Council members must have full access to financial records. Failure to provide such information would impede the legal obligations of the Tribal Council and prevent Tribal Government from functioning with required oversight, authorization, and accountability.

Please make the aforementioned records available to myself and other Tribal Council members immediately. Should you refuse, you must provide your refusal in writing and provide the basis for such a decision to me by the end of today, April 21, 2015 at 4:30 pm.

Respectfully,



Kevin Wright
LBST Chairman

Cc/Tribal Council
Lee Brennan