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MEMORANDUM

To: Interagency Bison Management Partners
From: Christina T. Kracher, Legal Counsel for Intertribal Bison Cooperative (ITBC)
Date: January 28, 2010
RE: ITBC Federal Charter

At the IBMP meeting held on November 17-18, 2009 in Livingston, MT, ITBC was tasked with providing clarification of its organizational status by the next IBMP meeting. The purpose of this memo is to provide an update to IBMP on the legal status of ITBC.

As you may know, ITBC has been in the process of becoming a federally chartered organization. On November 19, 2009, the Secretary of Interior granted the Federal Charter to ITBC, which has now been ratified. Concurrently, ITBC is in the process of dissolving itself as a state incorporated not for profit corporation and restructuring accordingly as a federally chartered entity.

Basically, a federal charter means that ITBC becomes a nontaxable federal entity, similar to Indian Tribes. Under Section 17 of the Indian Reorganization Act, Tribes may organize a business entity. The federal charter is essentially the governing document for a Tribe to organize a business entity under federal law with approval by the Secretary of Interior, pursuant to Section 17. Thus, ITBC is now a federally chartered corporation owned and operated by the 57 Tribes ITBC has and will continue to represent.

Although ITBC will now be a federal chartered corporation, the purpose and objectives of ITBC remain unchanged. ITBC continues to represent 57 Indian Tribes and remains committed to reestablishing buffalo herds on Indian lands to promote cultural enhancement, ecological restoration, and economic development. As such, ITBC looks forward to working with each of you on behalf of our member Tribes and moving forward as an IBMP partner in the upcoming year.