

**RESOLUTION OF THE GOVERNING BODY OF  
THE THREE AFFILIATED TRIBES OF THE  
FORT BERTHOLD RESERVATION**

- WHEREAS,** This Nation, having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said act; and
- WHEREAS,** The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribe and of the enrolled members thereof; and
- WHEREAS,** Article VI, Section 5 (d) of the Constitution of the Three Affiliated Tribes specifically empowers the Tribal Business Council to negotiate with Federal, State and local governments on behalf of the Tribe and to advise and consult with representatives of the Interior Department on all activities that may affect the Fort Berthold Reservation; and
- WHEREAS,** Public Law 93-638, titled the Indian Self-Determination and Education Assistance Act, provides for contracting mechanisms whereby Tribes may elect to assume governmental functions, services and programs which are otherwise performed by the Federal Government; and
- WHEREAS,** The Three Affiliated Tribes elected to contract specific functions, services and programs related to the Housing Improvement Program of the Federal Government; under provisions of the Indian Self-Determination and Education Assistance Act; and
- WHEREAS,** The Tribal Business Council advocates the need to promote programs, services, and functions for which the Federal Government is specifically and ultimately responsible and which, if properly funded, would contribute to the general welfare and well-being of the Three Affiliated Tribes and its enrolled members; and
- WHEREAS,** The Tribal Business Council asserts that inadequate funding for repair, renovation and/or replacement of sub-standard dwellings on the Fort Berthold Reservation continues to result in unsafe, unsanitary and over-crowded living environments and an increasing number of homeless that include the elderly and children; and

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**WHEREAS,** The Tribal Business Council is fully aware of the appropriations and allocations process whereby funds are made available to Tribes for service program areas in which governmental functions, services and activities have been assumed under provisions of P.L. 93-638; and

**WHEREAS,** The Tribal Business Council recognizes the obligation of the Federal Government to offer opportunities for a meaningful consultation process in all service delivery programs for which funds have been appropriated and for which a responsibility of trust is held to Native American people; and

**WHEREAS,** The Tribal Business Council recognizes specifically the responsibility of the Federal Government to offer a level of consultation process to Native American Tribes, commensurate to the basic necessities essential to the health and well-being of Native American people; and

**WHEREAS,** The Tribal Business Council received a draft Notice of FY 2000 Distribution Process for Housing Improvement Program appropriations; and

**WHEREAS,** The Tribal Business Council asserts that the funding distribution methodology applied to appropriations allocated to the Housing Improvement Program is unacceptable in its draft form and that the process is without meaningful consultation with Tribes; and

**WHEREAS,** The Tribal Business Council strongly objects to the manner in which the distribution process of FY 2000 Housing Improvement Program appropriations was formulated and the inadequacy of the consultation process; and

**WHEREAS,** The Tribal Business Council chooses to join with other Tribes in opposition to FY 2000 Distribution Process for Housing Improvement Program Appropriations, in its draft form, and

**WHEREAS,** The Tribal Business Council further chooses to join with other Tribes in support of applying FY 1999 distribution methodology to FY 2000 distribution process for Housing Improvement Program appropriations,

**NOW THEREFORE BE IT RESOLVED,** That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation elected to formally submit its opposition to FY 2000 Distribution Process for Housing Improvement Program Appropriations in its draft form.

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**BE IT FURTHER RESOLVED**, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation elects to formalize its objection to the manner in which the process of consultation with Tribes emanated and to voice its dissatisfaction with the lack of application of a meaningful consultation with Tribes.

**BE IT FINALLY RESOLVED**, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation approves and strongly advocates the application of FY 1999 distribution methodology to FY 2000 Distribution Process for Housing Improvement Program appropriations.

**CERTIFICATION**

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members, of whom five (5) constitute a quorum, 6 were present at a Special Meeting thereof duly called, noticed, convened and held on the 11<sup>th</sup> day of February, 2000; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 11<sup>th</sup> day of February, 2000.

Daylon Spotted Bear  
Secretary, Tribal Business Council

Attest:

  
Chairman, Tribal Business Council