

**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 Tribes and of the enrolled members thereof; and
- WHEREAS,** Housing maintenance and improvement, including safe and sanitary housing for all Tribal members, is an essential element of improving the lives of Tribal members living on the Fort Berthold Reservation; and
- WHEREAS,** Inadequate home repair funding for members of the Three Affiliated Tribes will continue to result in overcrowding, homelessness and residency in substandard housing; and
- WHEREAS,** The Housing Improvement Program (HIP) was intended to provide funds for major housing improvement projects on reservations nationwide through the Bureau of Indian Affairs (BIA); and
- WHEREAS,** A new formula was to be developed with Tribal consultation for distribution of the HIP funds for FY 2000;
- WHEREAS,** The framework for a possible lawsuit has been developed for the Tribes in the Great Plains Region to sue the BIA in order to seek a preliminary injunction stopping the distribution of the HIP funds unless and until a fairer distribution formula for FY 2000 is developed, or at a minimum, to all the recovery of funds that the Three Affiliated Tribes and other Great Plains Tribal Nations should have received had the formula been developed with appropriate consultation, and at least two Tribes have already indicated their willingness to file a lawsuit opposing the proposed formula and seeking the preliminary injunction; and
- WHEREAS,** The lawsuit must be filed soon with sufficient participation from interested Tribal Nations in the Great Plains Region to allow a reduction in the costs, including initial attorney's fees to the firm of Dorsey Whitney of Minneapolis, Minnesota, a well known firm that represents the interests of many Tribal Nations in the United States, for filing the lawsuit, with costs, including attorney's fees, estimated to be in the range of \$40,000 to \$60,000;

NOW THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes Business Tribal Council hereby authorizes the Tribe to enter into an attorney contract with the firm of Dorsey Whitney to allow a lawsuit to be filed seeking a preliminary injunction against the Bureau of Indian Affairs Great preventing them from distributing any HIP funds unless and until a formula is developed that would be fairer to all of the Tribal Nations in the Great Plains Region of the BIA, and that would also seek adequate reimbursement in the event funds have already been distributed for FYU 2000; and

NOW, THEREFORE BE IT FURTHER RESOLVED that the Tribal Business Council directs the Tribal Legal Department to assist as much as possible in the monitoring and development of the lawsuit and to assist in information gathering necessary for the lawsuit to succeed.

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 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 11th day of May, 2000; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 1 members opposed, 1 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 11th day of May, 2000.

ATTEST:



Chairman, Tribal Business Council



Secretary, Tribal Business Council