

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

**SUBMISSION OF PROCUREMENT ISSUE TO
HUD ONAP NATIONAL REVIEW COMMITTEE**

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, The Fort Berthold Housing Authority (FHBA) in the past year began the process of expanding its new construction program to meet the strong need for housing assistance for members of the Three Affiliated Tribes on the Fort Berthold Reservation; and

WHEREAS, The Three Affiliated Tribes has initiated some new housing and economic development programs that hopefully can interact and connect with the programs and activities of the FBHA; and

WHEREAS, The Federal Native American Housing Assistance and Self-Determination Act (NAHASDA) now provides FBHA new opportunities to creatively develop programs and approaches to satisfy the need for low-income Indian housing on the Reservation; and

WHEREAS, NAHASDA and funds received through NAHASDA still contain important restrictions and requirements which, if violated, could cause future funding to be denied to the Tribe by the Federal program or could allow the Federal government to recover previously awarded funds from the Tribe or FBHA; and

WHEREAS, Within the U.S. Department of Housing and Urban Development (HUD) and its Office of Native American Programs (ONAP), the administrator of the NAHASDA program has established a special National Review Committee to accept and issue opinions on questions involving eligible activities;

NOW, THEREFORE, BE IT RESOLVED, that the Fort Berthold Housing Authority and its attorneys will coordinate their recent efforts to work with the Tribe and its attorneys to find ways to maximize use of NAHASDA funds in coordination with Tribal economic development initiatives, including, but not limited to, Tribally owned companies, so as to create the most quality low income housing possible for the members of the Three Affiliated Tribes on the Fort Berthold Reservation; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that because there are uncertainties about certain related NAHASDA rules and procurement requirements, the Three Affiliated Tribes hereby authorizes the FBHA to submit the following question to the ONAP National Review Committee so as to identify all possible business relationships and structures that can be utilized in the development and construction of housing on the Fort Berthold Reservation: Can a Tribal housing authority (a Tribal Designated Housing Entity), using NAHASDA funds, negotiate and contract with a 100% Tribally owned and 100% independently financed housing manufacturing company or otherwise give preference to a Tribally owned businesses for the purchase and construction of housing for low-income Indians on the Fort Berthold Reservation, with the proviso that cost, construction quality and performance are consistent with housing construction standards?

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, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 8th day of June, 2000; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 8th day of June, 2000.

Daylon Spotted Bear
Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:

Tex G. Hall
Tex G. Hall
Chairman, Tribal Business Council