

**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,** The Three Affiliated Tribes and its members lost more than 155,000 acres of prime bottom lands along the Missouri River as a result of the construction of Garrison Dam in the early 1950_s, forcing its members onto much less desirable lands away from the Missouri River, and which also meant the loss of immediate access by Tribal members to the good water of the Missouri River; and
- WHEREAS,** As documented in the Joint Tribal Advisory Committee (JTAC) report issued in 1986, as a result of the Garrison Dam and the flooding of their prime lands, the Three Affiliated Tribes and its members were promised a water distribution system to allow all rural residents free access to the water of Lake Sakakawea, the reservoir behind the Garrison Dam; and
- WHEREAS,** The Garrison Reformulation Act of 1986 [P.L. 99-294] authorized approximately \$20 million, later adjusted for inflation, for Indian municipal, rural and industrial (MR&I) water projects for the Standing Rock Sioux, Devil's Lake Sioux (now Spirit Lake Nation) and the Three Affiliated Tribes, which authority expired and was exhausted in Fiscal Year 1996, and,
- WHEREAS,** In December, 2000, Congress enacted into law the Dakota Water Resources Act of 2000, which authorizes an additional \$70 million for MR&I projects on the Fort Berthold Reservation of the Mandan, Hidatsa and Arikara Nation and \$200 million over all for all Indian MR&I projects within the State of North Dakota, which will allow substantial completion of a rural water system serving all of the Tribal members residing on the Fort Berthold Reservation; and
- WHEREAS,** Congress must now begin the appropriation process to fund the Dakota Water Resources Act so that the water needs of the Tribe and all of its members within the Fort Berthold Reservation can be met, as promised more than 50 years ago by the Federal government; and

WHEREAS, The immediate and acute needs of the Fort Berthold Reservation for water projects for which engineering efforts are complete or will be completed within Fiscal Year 2002 and which will be ready for construction to start in the spring and summer of 2002 include projects as described in the attached narrative with a total budget that will cost approximately \$6,000,000; and

WHEREAS, The projects, in the order of their priority, include: 1) a new water treatment plant to serve the New Town area; 2) an expanded water treatment plant to serve the Parshall/Lucky Mound area; 3) an expanded water treatment plant to serve the Twin Buttes area; 4) an expanded water treatment plant to serve the Four Bears area; and other assorted upgrades to the water systems served by all of the water treatment plants that serve the people of the Fort Berthold Reservation, including, in addition to those stated above, the water systems for the Mandaree area and the White Shield area; and

WHEREAS, The Congress and the Bush Administration must know that there is an immediate need and full justification for the projects listed above, especially in light of the expected low lake levels of Lake Sakakawea in this calendar year of 2000, increased populations in each part of the Reservation and in light of increased demands for water from economic development projects in each of the areas in which an expanded water treatment plant is to be located; and

WHEREAS, The Congress and the Bush Administration must also know that at present, in support of placing a new water plant for the New Town area as the first priority of the Tribe for MR&I projects that City of New Town is planning to begin construction on a new and expanded water treatment plant using pumped groundwater in the fall of 2000, which will not be adequate to meet the present needs of the members of the Three Affiliated Tribes who live adjacent to and outside of the borders of the City of New Town, and which will also be duplicative of efforts of the Tribe to build a water treatment plant to which water will be pumped directly from Lake Sakakawea for delivery to all of the Tribal residents in the area, making a new water treatment plant for the City of New Town unnecessary;


NOW, THEREFORE, BE IT RESOLVED, That the Three Affiliated Tribes, acting through its duly elected Tribal Business Council, hereby supports seeking from Congress and the Presidential administration of George Bush a significant appropriation for the completion of Phase I and the commencement of Phase II of the overall water needs of the Three Affiliated Tribes in an amount not less than \$6,000,000, as stated in the attached Narrative and Budget, and as prioritized above, and urges its Senators and Congressman to lobby for full funding for this request from the Dakota Water Resources Act; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Tribal Business Council hereby authorizes the Tribal Chairman to coordinate lobbying efforts with those law firms that have been hired by the Tribe and through the Tribal Legal Department to accomplish the goal of an appropriation of at least \$6,000,000 from the Dakota Water Resources Act for FY 2002 for the MR&I projects of the Three Affiliated Tribes to allow such projects to be completed for all residents living with the Fort Berthold Reservation.

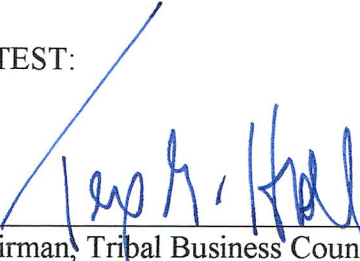
CERTIFICATION

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 23 day of March, 2001; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 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 23 day of March, 2001.


Secretary, Tribal Business Council

ATTEST:


Chairman, Tribal Business Council