

**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 Flood Control Act of 1944 authorized construction of five dams or reservoirs on the mainstream of the Missouri River which included the Garrison Dam, and
- WHEREAS,** Congress authorized the acquisition of Indian lands, and the Act of October 29, 1949, authorized the United States Government to acquire 156,000 acres of prime agricultural lands on the Fort Berthold Reservation providing 69.1% of the land required for the Garrison Dam; and
- WHEREAS,** The Mandan, Hidatsa, and Arikara Tribes lost the economic base where the tribes had lived for centuries and had established a flourishing agricultural economy and the key trade centers along the Missouri River for nomadic tribes and later the fur trade; and
- WHEREAS,** In May, 1985, the Joint Tribal Advisory Committee was established by the Secretary of the Interior Hodel as recommended by the Garrison Division Unit Commission in their final report when they found that the Three Affiliated Tribes and The Standing Rock Sioux “bore an inordinate share of the cost of implementing Pick-Sloan Missouri Basin Program mainstream reservoirs”; and
- WHEREAS,** In 1992, Congress passed Public Law 102-575 entitled “Three Affiliated Tribes and Standing Rock Sioux Tribe Equitable Compensation Act,” establishing an economic recovery fund of \$149.2 million for the Tribes, a permanent trust fund with the interest to be used for educational, social welfare, economic development, and other programs; and
- WHEREAS,** The aforementioned recovery fund compensated for the loss of land only; and
- WHEREAS,** The Three Affiliated Tribes also suffered the loss of a Reservation – wide Centralized High School, including two dormitories which housed at least 100 students, and possibly several other schools, when the U.S. Government acquired Tribal lands in 1949 for the purposes of constructing a dam, and the Tribal Business Council believes that the Tribes should be compensated for the loss of the Centralized High School and for any other school that may have been lost during that time; and

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby establishes the JTAC II Task Force Committee to develop a plan to pursue compensation for any Schools that were lost in the acquisition of Tribal land by the U.S. Government in 1949.

BE IT FURTHER RESOLVED, That the JTAC II Task Force Committee that will pursue compensation for the loss of the Schools shall be comprised of the following:

- (1) Tribal Chairman Tex G. Hall (Red Butte) and Tribal Business Council Members Austin Gillette, Marcus Wells, Jr. and Mark Fox;
- (2) Health & Human Resource and Education Committee Members Randy Phelan, (Chairman), Daylon Spotted Bear, and Malcolm Wolf;
- (3) Five school board members, one from each School District;
- (4) One member of the Three Affiliated Tribes Education Department; and
- (5) One board member from each of the six segment boards.

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 Special Meeting thereof duly called, noticed, convened, and held on the 3rd day of July, 2001; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 1 members abstained, 1 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 3rd day of July, 2001.

Chairman () voting () not voting.

Marcus Wells Jr.
Secretary, Tribal Business Council

ATTEST:

Tex G. Hall
Chairman, Tribal Business Council