

**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 the enrolled members thereof; and

WHEREAS, The original Individual Indian Money ("IIM") records of members of the Three Affiliated Tribes and Tribal trust records are stored at the Fort Berthold Agency office building in New Town, North Dakota; and

WHEREAS, It has come to the attention of the Tribal Business Council that some of the original IIM records of members of the Tribes and Tribal trust records that were to be maintained at the Fort Berthold Agency office building have apparently been lost or destroyed, all to the detriment of the Tribes and their members; and

WHEREAS, Due to the mismanagement of these records through either the loss or destruction thereof by the Fort Berthold Agency, the Tribal Business Council deems it necessary to take formal action in an effort to protect such critical records from further loss or destruction; and

WHEREAS, The Tribal Business Council has determined that it is in the best interest of the Tribes and their members to formally prohibit the removal of original IIM records of members of the Three Affiliated Tribes and Tribal trust records from the Fort Berthold Agency office building by Tribal or Bureau of Indian Affairs officials or employees;

NOW, THEREFORE, BE IT RESOLVED That the Tribal Business Council of the Three Affiliated Tribes does hereby formally prohibit the removal of original Individual Indian Money records of enrolled members of the Tribes and Tribal trust records from the Fort Berthold Indian Agency office building in New Town, North Dakota by Tribal or BIA officials or employees.

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Three Affiliated Tribes
Mandan, Hidatsa, and Arikara Nation

LEGAL DEPARTMENT

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New Town, North Dakota 58763

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September 17, 2001

James Bluestone, Jr.
Court Administrator/Clerk
Northern Plains Intertribal Court of Appeals
Post Office Box 57
Aberdeen, SD 57402-0057

Re: **Renewal of Membership of Three Affiliated Tribes for CY 2002 and CY 2003**

Dear Mr. Bluestone:

Enclosed is a copy of Tribal Business Council Resolution # 01- - MWJR, whereby the Council has authorized the renewal of the membership of the Three Affiliated Tribes in the Court of Appeals for CY 2002 and CY 2003, in addition to authorizing payment of the respective annual membership fees. The payment for CY 2002 is also enclosed.

I would additionally document in this correspondence the understanding of the Three Affiliated Tribes regarding one element of the Court's policy governing the assignment of judges to hear cases on appeal, as discussed during our telephone conference on September 11th. It is our understanding that the assignment policy absolutely prohibits the assignment of any judge to hear an appeal from a judgment issued by the tribal court of the reservation on or near which that particular judge resides and engages in his or her principal practice.

Thank you once again for your continued assistance provided to the Three Affiliated Tribes in matters related to our long-standing membership in the Court of Appeals.

Sincerely,

Christopher D. Quale
Supervising Attorney

Cc: file
Tribal Business Council members

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; 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 19 day of September, 2001; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 19 day of Sept., 2001.

Darlene Spotted Bear
Secretary, Tribal Business Council

ATTEST:

[Signature]
Chairman, Tribal Business Council