

**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 Tribal Business Council has a vested interest in all activities concerning treaty rights and tribal sovereignty; and
- WHEREAS,** The growing technology in computer networking, satellite video conferencing, computer software, distance learning, digital switching, broadcast radio, cable television, frequency spectrum land-based communication networks, and cellular or wireless telephone systems are entering tribal market areas and airspace; and
- WHEREAS,** The Intertribal Council on Utility Policy (COUP) is working to provide educational, technical, and legal assistance in the development of models of tribal utility formation, electrical energy load aggregation through intertribal cooperatives, efficiency programs for residential and institutional, commercial and tribal buildings, and renewable energy assessment and demonstration projects in wind, solar, geothermal, and other alternative energy sources; and
- WHEREAS,** Right-of-way easements on tribal lands to utility and/or other service providers need to be reconsidered or negotiated, so that tribes do not effectually waive their sovereign statuses in the name of providing services; and
- WHEREAS,** The Tribal Business Council recognizes the need for a coalition of experts to examine the opportunities in light of tribes' positions as sovereign nations in order to ensure that in the desire to be part of the information and energy economy, tribes do not weaken sovereign positions; and
- WHEREAS,** The Tribal Business Council believes that a coalition of tribal nations can promote self-determination, sovereignty, and social and political empowerment well into the next century by utilizing technology, and that, furthermore, technology can help to bring about these goals without sacrificing tribal concepts of community, conservation, and environmental harmony; and

WHEREAS, The Tribal Business Council also believes that a coalition of tribal nations can effectively research and take advantage of various tax incentives, bidding credits, designations, and financial incentives, which may provide economic opportunities for tribes and their partners; and advise on many tribal activities that would be free from state regulation, working within federal regulations in federal partnerships and with potential private partners, thereby recapturing sovereign authority in this realm; and

WHEREAS, The Tribal Business Council recognizes that a coalition can assist tribes, including the Three Affiliated Tribes, in developing policy regulation within the boundaries of their respective reservations pertaining to utility services, including telecommunications, energy, and renewable energy; and

WHEREAS, The Tribal Business Council believes that the Intertribal COUP is such a coalition as described above and that it is in the interest of the welfare of the Three Affiliated Tribes and their enrolled members to support and endorse such a coalition;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes does hereby support and endorse the Intertribal Council on Utilities Policy and identifies the following as the Tribe's official delegates/representatives to the Intertribal COUP:

Randy Phelan
Mark N. Fox
Paul Danks (alternate)

BE IT FURTHER RESOLVED, That the Tribal Business Council hereby authorizes and directs that payment in the amount of Five Hundred Dollars (\$500.00) be forthwith made to the Intertribal Council on Utility Policy, as and for the Three Affiliated Tribes' annual membership fee for CY 2002.

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; 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 8th day of November, 2001; that the foregoing Resolution was duly adopted at such Meeting by the

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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 the 8th day of November, 2001.


Secretary, Tribal Business Council

ATTEST:


Chairman, Tribal Business Council