



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

A Resolution entitled, "Requiring the Fort Berthold Housing Authority to provide for housing on the Fort Berthold Reservation in a manner that maximizes the use of Tribally owned businesses and other Tribally owned entities as contractors to provide construction and other services"

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and

WHEREAS, The Three Affiliated Tribes Constitution authorizes and empowers the Mandan, Hidatsa & Arikara Tribal Business Council to engage in activity on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, In the "Native American Housing Assistance Self-Determination Act of 1996", (NAHASDA) Congress recognized the United States' trust responsibility for "the protection and preservation of Indian tribes" and further recognized that "providing affordable homes in safe and healthy environments is an essential element" of this trust responsibility; and

WHEREAS, Within the same legislation, Congress determined that the provisions of federal assistance to meet these responsibilities should be in a manner that recognizes the right of Native American self-determination and tribal self-governance by making such assistance directly available to tribes or their designated entities under authorities similar to those accorded tribes in Public Law 93-638 (25 U.S.C. 450 et seq.); and

WHEREAS, The Tribe agrees with the findings in NAHASDA that the provision of affordable housing in safe and healthy environments is an essential element of the United States' trust responsibility and agrees that provision of affordable housing should be done in a manner which advances self-determination and self-sufficiency; and

WHEREAS, The Tribe has previously approved by Resolution No. 97-114-DSB the Fort Berthold Housing Authority (FBHA) to be a "tribally designated housing entity" under NAHASDA acting on behalf of the Three Affiliated Tribes for the purpose of receiving Federal funds under NAHASDA; and

WHEREAS, The FBHA, as a tribally chartered entity functioning on behalf of the Tribe, and in advancement of the concepts of self-determination and self-sufficiency, can assist the Tribe and its members economically in its effort to provide affordable housing to Tribal members by recognizing where possible the capabilities and services of Tribally owned businesses and entities in the award of its contracts for providing housing and housing assistance and other services to Tribal members; and



WHEREAS, Tribally owned companies are in place which can provide construction and other services needed for the FBHA to carry out its work to provide affordable housing and housing assistance to Tribal members.

NOW THEREFOR BE IT RESOLVED, That the Tribal Business Council, on behalf of the Three Affiliated Tribes, hereby directs the Fort Berthold Housing Authority, consistent with any regulations and statutes to which it is subject, to design all housing projects and to design all other contracts it might award in a manner that will recognize the capabilities of any existing Tribally owned and operated enterprises, including, but not limited to, providing for designs of projects FBHA may be seeking to construct in a manner which accommodates modular built structures that are within the capability of Twin Buttes Custom Homes to provide.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian 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 14th day of March, 2003, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 4 members, 0 members opposed, 1 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman Voting. [] Not Voting.

Dated this 14th day of March, 2003.

Randy Phelan
Executive Secretary, Randy Phelan
Tribal Business Council

ATTEST:

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