



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

A Resolution entitled, "Three Affiliated Tribes Business Council's Call for Congress and the Department of the Interior to Immediately Delay the Department of the Interior's Reorganization of the Bureau of Indian Affairs For One Year So that the Three Affiliated Tribes Can Submit an Agency Specific Reorganization Plan that Better Addresses the Needs of the Three Affiliated Tribes"

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, Article VI, Section 5(f) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to advise the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Three Affiliated Tribes prior to the submission of such estimates or projects to the Bureau and to Congress; and

WHEREAS, Article VI, Section 5(d) of the Constitution of the Three Affiliated Tribes also specifically authorizes and empowers the Tribal Business Council to negotiate with the federal government and consult with the representatives of the Interior Department on all activities of that Department that may affect the Fort Berthold Reservation; and

WHEREAS, the Department of Interior is in the process of reorganizing the Bureau of Indian Affairs; and

WHEREAS, as part of this reorganization, the Three Affiliated Tribes Tribal Business Council has been informed that the Fort Berthold Agency will receive two GS-13 BIA Deputy Superintendents and one Trust Officer from the Office of Special Trustee; and

WHEREAS, the Three Affiliated Tribes Tribal Business Council recognizes that Interior is also engaged in a "To Be" project that is an integral part of Interior's reorganization effort; and

WHEREAS, the Three Affiliated Tribes believes that it would be more prudent to delay any reorganization of the BIA, especially at the agency level, until the "To Be" project has been completed; and

WHEREAS, the Three Affiliated Tribes Business Council further objects to Interior's reorganization efforts because the Tribal Business Council finds that Interior has failed to properly consult with the Three Affiliated Tribes and that Interior has completely ignored the Three Affiliated Tribes' suggestions and proposals concerning reorganization of the BIA; and

WHEREAS, the Three Affiliated Tribes Business Council firmly believes that for BIA reorganization to be successful, Interior needs to recognize and be responsive to each Tribes's specific needs at the Agency level; and



WHEREAS, the Three Affiliated Tribes Business Council finds that Interior’s proposed placement of two Deputy BIA Superintendents – one to oversee “trust” programs and the other to oversee “service” programs – is a proposal that does not meet the specific needs of the Three Affiliated Tribes and will do nothing to assist the BIA in meeting its trust responsibility to the Tribes because it fails to address the Tribes’ range compliance, leasing, probate, and fee-to-trust needs; and

WHEREAS, the Three Affiliated Tribes Tribal Business Council also finds that Interior also failed to consult with BIA employees at the agency level and obtain their input as to how they may provide better service and meet the BIA’s trust responsibility to Tribes and their members; and

WHEREAS, the Three Affiliated Tribes Tribal Business Council believes that such input is also vital to the success of Interior’s reorganization effort; and

WHEREAS, the Three Affiliated Tribes desires to work with and through the Great Plains Region Tribes, as well as all other Tribes, to call on Congress and Interior to delay the reorganization of the BIA for a period of one year so that Tribes may develop an agency specific plan for each agency; and

WHEREAS, the Three Affiliated Tribes Tribal Business Council calls on all Tribes to join the Three Affiliated Tribes in this effort; and

NOW, THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby calls on the Department of the Interior and Congress to delay any further reorganization of the BIA for a period of one year so that each Tribe may work with the BIA at the agency level and develop an agency specific reorganization plan that will meet the needs of the Three Affiliated Tribes; and

FURTHER BE IT RESOLVED, that the Three Affiliated Tribes calls on Congress to appropriate such funds as needed for Tribes to develop agency specific reorganization plans; and

FINALLY BE IT RESOLVED, that the Three Affiliated Tribes Tribal Business Council calls on the Great Plains Region Tribes, and all Tribes, as well as the National Congress of American Indians, to join the Three Affiliated Tribes in this effort.

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 18th day of December, 2003, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 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 18th day of December, 2003.

Randy Phelan
Randy Phelan, Secretary
Tribal Business Council

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