



**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 Interior to Immediately Delay the Department of 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 Address 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 and Bylaws authorizes and empowers the Mandan, Hidatsa and Arikara Tribal Business Council to engage in activity on behalf of and in the best interest and welfare of the Tribes and 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 Business Council 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 failed to implement 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 Tribe'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 has worked with the Great Plains Region Tribes to call on Congress and Interior to delay the reorganization of the BIA so that Tribes may develop an agency specific plan for each agency; and

WHEREAS, The Great Plains Tribes have also passed a resolution that prohibits the placement of trust officers and deputy superintendents on the Great Plains agencies; and

WHEREAS, Three Affiliated Tribes Tribal Business Council desires to follow up on the efforts of the Great Plains Tribes by adopting a similar resolution specific to the Three Affiliated Tribes and the Fort Berthold Reservation.

NOW, THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby advises the Department of Interior, the Office of Special Trustee and the Bureau of Indian Affairs that it will not allow trust officers or deputy superintendents to work on the Fort Berthold Reservation. Any trust officers or deputy superintendents that are assigned to the Fort Berthold Agency will not be welcome and will be escorted off of the Fort Berthold Reservation in a peaceful manner in accordance with the Fort Berthold Agency Specific Plan.

BE IT FINALLY RESOLVED, that the Tribal Business Council demands that the money that was going to be utilize for the employment of the trust officer and the deputy superintendent be appropriated to the Fort Berthold Agency to employ realty specialists, probate specialists and other positions needed to properly address the backlog in trust management transactions.



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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, _____ were present at a _____ Meeting thereof duly called, noticed, convened and held on the ___ day of _____, 2003, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of _____ members, _____ members opposed, _____ members abstained, _____ members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [] Voting. [] Not Voting.

Dated this 8 day of April, 2003.

ATTEST:

Executive Secretary, Randy Phelan
Tribal Business Council

Chairman, Tex G. Hall
Tribal Business Council



*Done Original to
Stens for Chauvin
Signature*

Resolution No. 04-067RP

**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 Advisement to the Department of Interior, Office of Special Trustee and Bureau of Indian Affairs Concerning the Placement of Trust Officers and Deputy Superintendents at the Fort Berthold Agency."

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 and Bylaws authorizes and empowers the Mandan, Hidatsa and Arikara Tribal Business Council to engage in activity on behalf of and in the best interest and welfare of the Tribes and 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 Business Council 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 failed to implement 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 Tribe'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 has worked with the Great Plains Region Tribes to call on Congress and Interior to delay the reorganization of the BIA so that Tribes may develop an agency specific plan for each agency; and

WHEREAS, The Great Plains Tribes have also passed a resolution that prohibits the placement of trust officers and deputy superintendents on the Great Plains agencies; and

WHEREAS, Three Affiliated Tribes Tribal Business Council desires to follow up on the efforts of the Great Plains Tribes by adopting a similar resolution specific to the Three Affiliated Tribes and the Fort Berthold Reservation.

NOW, THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby advises the Department of Interior, the Office of Special Trustee and the Bureau of Indian Affairs that it will not allow trust officers or deputy superintendents to work on the Fort Berthold Reservation. Any trust officers or deputy superintendents that are assigned to the Fort Berthold Agency will not be welcome and will be escorted off of the Fort Berthold Reservation in a peaceful manner.

BE IT FINALLY RESOLVED, that the Tribal Business Council demands that the money that was going to be utilize for the employment of the trust officer and the deputy superintendent be appropriated to the Fort Berthold Agency to employ realty specialists, probate specialists and other positions needed to properly address the backlog in trust management transactions.



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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 8 day of April, 2004, that the foregoing Resolution was duly adopted at such meeting by the 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.

Chairman [] Voting. [] Not Voting.

Dated this 8 day of April, 2004.

Randy Phelan
Executive Secretary, Randy Phelan
Tribal Business Council

ATTEST:

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