



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

A Resolution entitled, "Housing Improvement Program, CFR Amendments."

- 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(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes of the Tribes; and
- WHEREAS**, the Tribal Housing Division's mission is to break the barriers that currently prevent home ownership amongst tribal members and to assist in meeting the housing demand; and
- WHEREAS**, the Three Affiliated Tribes', Tribal Business Council, recognizes that there is a lack of housing units available for use by its Tribal membership, and that existing housing of many members of the Three Affiliated Tribes is inadequate; and
- WHEREAS**, the Tribal Business Council has been proactive in filling the housing needs of its membership by adopting Resolution 99-100-DSB; which granted the Fort Berthold Housing Authority the authority to administrate the Tribes' Home Improvement Program (HIP). The (HIP) program is a BIA contract for home improvement; and
- WHEREAS**, subsequent to the granting of administration of the (HIP) program to the Housing Authority the Tribal Business Council created the Three Affiliated Tribes Housing Division in order to assure that all Tribal Member's housing needs are met. The Housing Division has proficient staff able to administrate the (HIP) contract; and provide the Tribal Business Council with responsive feedback and control; and
- WHEREAS**, The Housing Improvement Program is regulated by and through 25 Code of Federal Regulations (CFR) Part 256.
- WHEREAS**, The data gathering and ranking process of the existing CFR fails to recognize and reflect the true need of the "Neediest of the Needy" living not only on the Fort Berthold Reservation but also living within all the Great Plains Region, and;
- WHEREAS**, The Three Affiliated Tribes, along with the other tribes located within the Great Plains Region are disadvantaged by the current funding distribution process created by 25 CFR 256 HIP. It is the Three Affiliated Tribes understanding and belief that out of sixteen (16) Native American tribes in the Great Plains Region only nine tribes received projects funded by FY 2002 and only 6 tribes received project funded by FY 2004. The Three Affiliated Tribes has a pent up housing need including, elderly, low income and unemployed members who live in substandard housing



and do not qualify for competitive bank financing for home improvement or new home purchases. Home improvements needed are not needless esthetic makeovers, rather, the needed improvements must be made in order to satisfy safe and sanitary conditions and prevent over crowding, and

WHEREAS, The Great Plains Region HIP office has notified all tribes in the Great Plains Region that they have an opportunity to make recommendations for changes to 25 CFR 256 HIP, and;

WHEREAS, The Great Plains Region HIP office has notified the Great Plains tribes that all 16 Tribes need to agree on one (1) set of revisions supported by separate resolutions from each tribe. Meeting were held on April 11, 2004 for preliminary review and May 13, 2004 for final review, and;

WHEREAS, It serves the best interest of the members of the Three Affiliated Tribes that the proposed changes of 25 CFR 256 HIP, as recommended by the Great Plains Tribes be ratified by the Tribal Business Council of the Three Affiliated Tribes, in order to voice an objection to the unfair application of the existing CFR and propose amendments which will realistically meet the home improvement needs of the "Neediest of the Needy Indians" and;

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby adopts and ratifies the proposed amendments to 25 CFR 256 Housing Improvement Program as set forth by the Native American Tribes within the Great Plains Region by consent of respective representatives; and that the Tribal Business Council as the administrative body of the Three Affiliated Tribes hereby recommends to the Chief, Office of Housing Assistance, Housing Improvement Program in Washington, DC to adopt the proposed changes to 25 CFR 256 HIP as presented by the Great Plains Region Tribes and that those changes be implemented prior to FY 2006.

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 21 day of May, 2004 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 21 day of May, 2004.

Randy Phelan
Executive Secretary, Randy Phelan
Tribal Business Council

ATTEST:

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