



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

*A Resolution entitled, "Approval of Funding for the Hiring of a Deputy Superintendent and Non-management Positions Related to the Administration of Trust Resources."*

- WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws under said Act; and
- WHEREAS,** Pursuant to Article III, Section 1 of the Constitution and By Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; 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 would 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

**RESOLUTION NO. 05- 44 -NH**

**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 Tribal Business Council passed Resolution No. 04-67-RP strictly prohibiting the placement of any deputy superintendents or trust officers on the Fort Berthold Reservation; and

**WHEREAS,** The Tribal Business Council, upon inquiry from the BIA, desires to modify its position and approve the funding additional positions at the Fort Berthold Agency and support the employment of one Deputy Superintendent and field level trust resource positions such as realty specialists, probate specialists and other trust positions needed to properly address the backlog in trust management transactions.

**NOW, THEREFORE BE IT RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby approves funding for employment of a Deputy Superintendent and other non-management positions related to the administration of trust resources such as realty specialists, probate specialists and other trust positions needed to properly address the backlog in trust management transactions. This resolution shall not be construed to authorize the placement of a “Trust Officer” at the Fort Berthold Agency as the Tribal Business Council finds that field level personnel are needed to properly manage trust resources on the Fort Berthold Agency as these positions are a priority over the appointment of a Trust Officer.

**BE, IT FINALLY RESOLVED,** that Resolution No. 04-67-RP is hereby amended to the extent necessary to conform with this Resolution.

**CERTIFICATION**

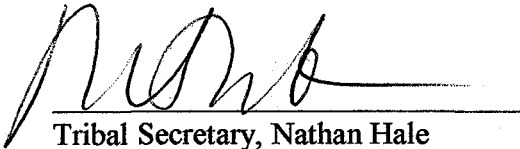
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council

**RESOLUTION NO. 05- 44 -NH**

is composed of 7 members of whom 5 constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on February 17, 2005; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 1 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

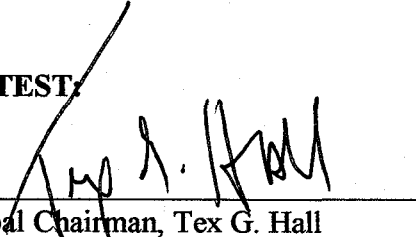
Chairman  Voting.  Not voting.

Dated this 17<sup>th</sup> day of February, 2005.



Tribal Secretary, Nathan Hale  
Tribal Business Council  
Three Affiliated Tribes

**ATTEST:**



Tribal Chairman, Tex G. Hall  
Tribal Business Council  
Three Affiliated Tribes