



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

A Resolution entitled, "Request that Congress Amend H.R. 109 entitled the Tribal Parity Act to include Pass a Mandan, Hidatsa and Arikara Nation Parity Act that Includes the Material Terms Authorized and Implemented Under the 1948 Contract."

WHEREAS, the Mandan, Hidatsa, and Arikara Nation (Nation) is a sovereign government and federally recognized Indian Tribe existing pursuant to its inherent and retained sovereignty; and

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

WHEREAS, the Constitution and By-Laws of the Nation generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Nation and of the enrolled members thereof; and

WHEREAS, in 1948, the majority of adult members of the Three Affiliated Tribes approved a Contract with the United States to take 156,000 acres of tribal and individual lands, vital to the social and economic welfare of the individual tribal members, for the Garrison Dam and Reservoir Project; and

WHEREAS, in 1949, under P.L. 81-437, 63 Stat. 1026, the federal government unilaterally amended major portions of the 1948 Contract excluding rights expressly reserved by the Three Affiliated Tribes; and

WHEREAS, in 1992, under P.L. 102-575, 106 Stat. 4731, entitled the Three Affiliated Tribes and Standing Rock Sioux Tribe Equitable Compensation Act (Equitable Act), the federal government in authorizing further compensation to the Tribes admitted that the compensation from the 1949 Act did not pay just compensation for the property taken, but neglected to provide compensation for individual Tribal member landowners and/or their heirs; and

WHEREAS, in 2004, under S. 1530, 108th Cong., entitled the Tribal Parity Act, Senator Tom Daschle proposed a bill to provide additional compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damages caused to tribal lands by the Pick-Sloan Projects along the Missouri River; and

WHEREAS, the Sakakawea Landowners Association is a nonprofit entity organized by members of the Mandan, Hidatsa, and Arikara Nation who are either individual landowners or family members of deceased landowners of allotted trust and fee



land taken by the United States for the construction of the Garrison Dam and Reservoir Project; and

WHEREAS, the purpose of the Sakakawea Landowners Association is to investigate, individually and in cooperation with the Upper Missouri River Intertribal Allottees Association, all available remedies concerning land loss claims and just compensation for the allotted lands lost under the Garrison Dam and Reservoir Project and to seek appropriate remedies and to obtain just compensation for the allottees and/or their heirs; and

WHEREAS, the landowners and their heirs through the Sakakawea Landowners Association have requested the Tribal Business Council to support the landowners and their heirs in an effort to get additional just compensation for the allotted lands taken by the United States for the Garrison Reservoir.

NOW, THEREFORE, BE IT RESOLVED, the Tribal Business Council does hereby request that the Mandan, Hidatsa and Arikara Nation lobby Congress to pass a Mandan, Hidatsa and Arikara Nation Parity Act that includes the material terms authorized and implemented under the 1948 Contract, the interests of the individual landowners to receive just compensation for the allotted lands taken for the Garrison Dam and Reservoir Project and the interests of the Mandan, Hidatsa and Arikara Nation together with the allottees and their heirs to receive just compensation at the value of \$411.8 million present valued at 2005 dollars as was recommended by the Joint Tribal Advisory Committee in 1992; and

BE IT FURTHER RESOLVED, the Tribal Business Council does hereby authorize and direct its Chairman and Treasurer to request the assistance and support of Senator Kent Conrad of North Dakota to introduce the Mandan, Hidatsa and Arikara Parity Act on behalf of the Mandan, Hidatsa and Arikara Nation, the Sakakawea Landowners Association and the Upper Missouri River Intertribal Allottees Association during the next session of Congress; and

BE IT FINALLY RESOLVED, the Tribal Business Council authorizes the Chairman and/or Vice Chairman of the Mandan, Hidatsa and Arikara Nation to assist the Sakakawea Landowners Association in their efforts to have the 109th Congress of the United States pass the Mandan, Hidatsa and Arikara Nation Parity Act and to hire any and all experts necessary to justify the level of compensation at the \$411.8 million present valued at 2005 dollars and lobbyists necessary to get the Parity Act passed by the 109th Congress.



CERTIFICATION

I, the undersigned, as Secretary of the Mandan, Hidatsa and Arikara Nation Tribal Business Council, certify that the Council is composed of 7 members, of whom 5, constituting a quorum, were present at a meeting duly called, noticed, convened, and held this 21st of April, 2005, and that the foregoing resolution was duly adopted at such meeting by an affirmative vote of 7 for, 0 against, 0 not voting, and 0 absent.

Chairman Voting [] . [] not voting.

Dated this 21 day of April 2005.

ATTEST:

Tribal Secretary, Nathan Hale

Tribal Chairman, Tex G. Hall