



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

A Resolution Entitled: “*Authorization to Contract the Bureau of Indian Affairs Housing Improvement Program for FY 2005 pursuant to PL 93-638, the Indian Self Determination and Education Assistance Act*”

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 pursuant to said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes 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 Tribes and of the enrolled members thereof; and

WHEREAS, Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, Article VI, Section 5 (d) of the Constitution of the Three Affiliated Tribe Provides that the Tribal Business Council has the power to negotiate with Federal, State and local governments on behalf of the Tribe and to advise and consult with representatives of the Interior Department on all activities that may affect the Fort Berthold Reservation; and

WHEREAS, Public Law 93-638, the Indian Self-Determination and Education Assistance Act, authorizes Indian Tribes to contract with the United States to assume governmental services and programs which are otherwise performed by the federal government; and

WHEREAS, The Tribal Business Council advocates the need to promote programs, services, and functions for which the federal government is specifically and ultimately responsible and which, if properly funded, would contribute to the general welfare and well-being of the Three Affiliated Tribes and its enrolled members; and

WHEREAS, The Tribal Business Council finds that inadequate funding for repair, renovation and/or replacement of sub-standard dwelling homes on the Fort Berthold Reservation continues to result in unsafe, unsanitary and over-crowded living



environments and an increasing number of homeless that include the elderly and children; and

WHEREAS, The Tribal Business Council is fully aware of the appropriations and allocations process whereby funds are made available to Tribes for service program areas in which governmental functions, services and activities have been assumed under provisions of P. L. 93-638; and

WHEREAS, The Tribal Business Council strongly objects to allocations for the FY 2005 Housing Improvement Program and the overall inadequacy of funding for this program, and intends to pursue appeals according to 25 CFR Part 256 on behalf of the Tribes applicants; and

WHEREAS, Despite the funding inadequacies the Tribal Business Council prefers to continue to contract program functions, services and activities related to the Bureau of Indian Affairs Housing Improvement Program under provisions of the Indian Self-Determination and Education Assistance Act; and

WHEREAS, The Three Affiliated Tribes Home Improvement Program (HIP) has been unable to complete two (2) Renovations, six (6) Home Replacements , and one (1) New Construction for FY 2004.

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council of the Three Affiliated Tribes hereby elects and requests to contract program functions, services and activities related to the Bureau of Indian Affairs Housing Improvement Program under the provisions of the Indian Self-Determination and Education Assistance Act, for FY 2005, provided however that such request and authorization shall be subject to any appeal in accordance with 25 CFR Part 256 that the Tribe may have on behalf of its applicants; and

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby authorizes Tribal Chairman Tex G. Hall to negotiate and finalize the 638 contracting process and to execute all documents necessary for said process.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Forth Berthold Reservation, hereby certify that the Tribal Business Council 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 the 21 day of April 2005; 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 21 day of April 2005.

A handwritten signature in black ink, appearing to read 'Nathan Hale', written over a horizontal line.

Secretary, Nathan Hale
Tribal Business Council

ATTEST:

A handwritten signature in black ink, appearing to read 'Tex G. Hall', written over a horizontal line.

Chairman, Tex G. Hall
Tribal Business Council