



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

A Resolution entitled: "Tribal Business Council be fully involved in the design of the Architectural and Engineering portion of the New Health Care Facility"

- 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,** In 1949 the United States of America took more than 150,000 acres of prime land on the Fort Berthold Reservation for the construction of the Garrison Dam and Reservoir which flooded and destroyed vital infrastructure on the Reservation including the Indian Health Service Hospital; and
- WHEREAS,** At the time of the taking of said lands, the United States made a commitment to the Three Affiliated Tribes to replace the lost infrastructure, however the United States has never fully lived up to its commitment; and
- WHEREAS,** On May 10, 1985, the Secretary of the Interior established the Garrison Unit Joint Tribal Advisory Committee to examine the effects of the Garrison Dam on the Reservation; and
- WHEREAS,** The Final Report of the JTAC Committee which was issued on May 23, 1986, acknowledged the obligation of the United States to replace the infrastructure lost as a result of the Garrison Dam including the hospital; and



WHEREAS, Congress enacted Public Law 108-437 which authorizes the appropriation to the Secretary of Health and Human Services of \$39,017,228 for the construction of, and such other sums as are deemed necessary for the other expenses relating to, a rural health care facility on the Fort Berthold Indian Reservation; and

WHEREAS, The Health Care Facility appropriation authorization was made as additional compensation to the Mandan Hidatsa & Arikara Nation for the losses related to the construction of the Garrison Dam including the loss of the former Indian Health Service Hospital; and

WHEREAS, The U.S. Department of Health and Human Services, acting through the Indian Health Service completed the initial planning for the new health care facility through a Project Leadership Team under the direction of James D. Foote, IPA Consultant, which was responsible for the preliminary planning and cost estimates and which consists of both tribal and IHS representatives; and

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby supports the construction of the New Health Care Facility on the Fort Berthold Indian Reservation to replace the Elbowoods Hospital that was lost due to the construction of the Garrison Dam and resulting flooding of the Reservation; and

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby contract the Architectural and Engineering design of the New Health Care Facility for the Mandan, Hidatsa and Arikara Nation.



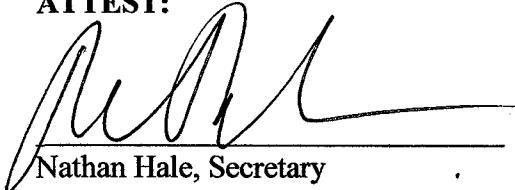
CERTIFICATION

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, 7 were present at a REGULAR Meeting thereof duly called, noticed, convened, and held on the 23 day of November 2005; 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.

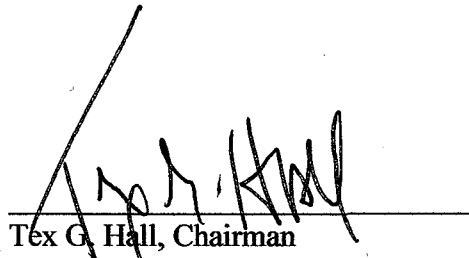
Chairman [] voting. [] not voting.

Dated this 23 day of November 2005.

ATTEST:



Nathan Hale, Secretary
Three Affiliated Tribes



Tex G. Hall, Chairman
Three Affiliated Tribes