



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

*A Resolution entitled, "Three Affiliated Tribes Five Million dollar contribution to the design & construction of the Elbowoods Memorial Healthcare 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,** The Constitution of the Three Affiliated Tribe 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 Tribes and of the enrolled members thereof; 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,** Over fifty years ago, when the Garrison Dam and Lake Sakakawea flooded the old Elbowoods hospital, the United States Government promised to replace that hospital with a new health care facility; and

**WHEREAS,** For many years, despite repeated requests by the Tribe, by the JTAC Committee and by the Senate Committee on Indian Affairs, the United States failed to keep its promise to replace the Elbowoods hospital; and

**WHEREAS,** As a result of the extraordinary efforts of Senator Byron Dorgan and other members of the North Dakota Congressional delegation, in FY 08, the United States Congress authorized an appropriation of \$20 million for the design, construction and equipment for a replacement for the destroyed Elbowoods hospital, which the Tribal Council resolved is to be named the Elbowoods Memorial Health Care Center, appropriated \$2,952,000 for the design of said facility, as first phase funding, and directed the Army Corps of Engineers to be the lead agency for the replacement facility ; and

**WHEREAS,** It has been determined that the \$20 million authorized by Congress will not be sufficient to design, construct and equip a facility that is adequate for the health needs of the members of the Three Affiliated Tribes; and

**WHEREAS,** To provide an adequate facility, it will be necessary for the Tribe to contribute funds to supplement those authorized by Congress; and





**WHEREAS,** While the Tribe believes that the United States Government has an obligation to provide funding for an adequate facility and its failure to do so represents another broken promise by the United States to our people, the Tribe believes that the health needs of the members of the Three Affiliated Tribes are of paramount importance, such that the Tribe must act to insure that the Elbowoods Memorial Health Care Center is of adequate size to meet those needs; and

**WHEREAS,** The Tribe has been informed by Congress that it must provide a binding commitment to provide such funding no later than July 2, 2008 in order to enable the Congress to amend the provision authorizing the \$20 million so that the Army Corps of Engineers may accept the contribution from the Tribe.

**THEREFORE BE IT RESOLVED THAT,** The Three Affiliated Tribes hereby makes a binding commitment to provide \$5 million in tribal funds to supplement the \$20 million authorized by Congress for the design, construction and equipping of the Elbowoods Memorial Health Care Center; and

**BE IT FURTHER RESOLVED,** The Chairman of the Three Affiliated Tribes is authorized to provide the \$5 million to the Army Corps of Engineers in such form and pursuant to such timing as such funds are needed by the Army Corps of Engineers, and to take such related actions as are necessary to accomplish the purposes of this Resolution.

**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 special Meeting thereof duly called, noticed, convened and held on the 1st day of July, 2008, 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 1st day of July, 2008.

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Acting Tribal Secretary, Mervin Packineau,  
Tribal Business Council  
Three Affiliated Tribes

ATTEST:  
  
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Tribal Chairman, Marcus Wells Jr.  
Tribal Business Council  
Three Affiliated Tribes