



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

***A Resolution Entitled, "Tribal Business Council Approval of the Three Affiliated Tribes Indian National Tribal Transportation Facility Inventory Annual Update Pursuant to 25 CFR 170.444"***

- 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,** Pursuant to Article VI, Section 5 (I) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and
- WHEREAS,** The Tribe has entered into a Public Law 93-638 Self-Determination Contract with the Bureau of Indian Affairs for the purpose of assuming various programs, functions and services under the Tribal Transportation Program (TTP); and
- WHEREAS,** 25 CFR Part 170 governs the Tribal Transportation Program and 170.442 specifically provides that Tribes with self-determination contracts may assume responsibility for preparing annual National Tribal Transportation Facility Inventory (NTTFI) updates; and
- WHEREAS,** 25 CFR part 170.5, defines transportation facilities that are eligible for assistance under the Tribal transportation program as "public roads or bridges within the exterior boundary of Indian reservations, Are public roads within or providing access to either: An Indian reservation or Tribal trust land or restricted Tribal land that is not subject to fee title alienation without the approval of the Federal Government or Indian or Alaska Native villages, groups, or communities whose residents include Indians and Alaska Natives whom the Secretary has determined are eligible for services generally available to Indians under Federal laws applicable to Indians; and



**WHEREAS,** 25 CFR 170.442 provides that an National Tribal Transportation Facility Inventory is a comprehensive database of all transportation facilities eligible for TTP funding by Tribe, reservation, BIA Agency, and region and are used in the TTP funding formula to assist in transportation and project planning, justify expenses, identify transportation needs, maintain existing NTTFI transportation facilities and to develop management systems; and

**WHEREAS,** 25 CFR 170.444 provides that the NTTFI Inventory is updated annually by both the Tribe and the BIA and that the Tribe must review all data and submit its changes to the BIA Regional Office along with an authorizing resolution; and

**WHEREAS,** The Three Affiliated Tribes Department of Transportation has developed the updated NTTFI Inventory packages for submittal to the BIA as required in 25 CFR 170.444; and

**WHEREAS,** The Three Affiliated Tribes Tribal Business Council requests that those BIA, County, State, and other classification of routes specifically described in Attachment No. 1 of this Resolution (which is hereby made a part of this Resolution) and as submitted in the Inventory packages and also as included in the Three Affiliated Tribes Long Range Transportation Plan be included in the Three Affiliated Tribes 2018 NTTFI Inventory; and

**WHEREAS,** The Three Affiliated Tribes Tribal Business Council has listed those roads identified as benefiting the tribal community and its members, more specifically described in Attachment No. 1.

**NOW, THEREFORE BE IT RESOLVED,** That the Three Affiliated Tribes' Tribal Business Council hereby approves the attached NTTFI update for submission to the Bureau of Indian Affairs in accordance with 25 CFR 170.444 and requests that the Bureau of Indian Affairs include the roads described in Attachment No. 1 and that they be included in the Three Affiliated Tribes Long Range Transportation Plan, in the NTTFI for the Three Affiliated Tribes; and

**FINALLY BE IT RESOLVED,** That the Chairman of the Tribal Business Council is hereby authorized and instructed to sign this resolution, and any and all documents and contracts they may be applied for on and behalf of the Three Affiliated Tribes Business Council in order to advance the Long Range Transportation Plan and Road Inventory Update approved herein.

(SIGNATURE PAGE TO FOLLOW)





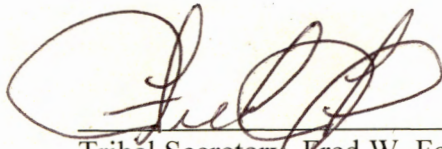
**CERTIFICATION**

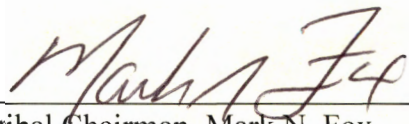
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 11<sup>th</sup> day of January, 2018, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman  Voting.  Not Voting.

Dated this 11<sup>th</sup> day of January, 2018.

**ATTEST:**

  
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Tribal Secretary, Fred W. Fox  
Tribal Business Council

  
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Tribal Chairman, Mark N. Fox  
Tribal Business Council