

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

- WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and
- WHEREAS, The Constitution and Bylaws of the Three Affiliated Tribes authorize and empower the Tribal Business Council of the Three Affiliated Tribes to remove or exclude from the limits of the Fort Berthold Reservation non-members of the Three Affiliated Tribes, except authorized government officials and other persons currently occupying Reservation lands under lawful authority, and to prescribe appropriate rules and regulations governing such removal or exclusion and governing the conditions under which non-members of the Three Affiliated Tribes may come upon Reservation lands or have dealings with Tribal members; and
- WHEREAS, In an effort to regulate trade and intercourse with Indian tribes and to protect the Indian wards of the United States from the potential of unfair and unscrupulous dealings by non-Indians, the United States Congress enacted certain legislation (i.e., 25 U.S.C. § 261 et seq.) and implementing regulations (i.e., 25 C.F.R. § 251.1 et seq.), which federal enactments prohibit any person other than an Indian of the full blood from introducing goods into or trading within Indian country or any Indian reservation, without having previous thereto secured from the Commissioner of Indian Affairs or his authorized representative a federal traders license, whereby authority to so introduce goods or trade has been granted; and
- WHEREAS, The Tribal Business Council of the Three Affiliated Tribes has been informed that EJ's Car and Truck Company, a non-Indian owned business organization whose principle place of business is situated outside the exterior boundaries of the Fort Berthold Reservation, in Williston, North Dakota, has caused to be introduced into said Reservation certain goods, to-wit: used motor vehicles, for the purpose of trading such goods with enrolled members of the Three Affiliated Tribes; and
- WHEREAS, Said used motor vehicles are presently "on display" and located upon certain land adjacent to the premises known as the Spotted Horn Store situated within the exterior boundaries of said Reservation, in Mandaree, North Dakota; and
- WHEREAS, The Tribal Business Council has been informed by the Chief of the Bureau of Indian Affairs Police, New Town, North Dakota, that, upon his investigation, he has discovered that said EJ's Car and Truck Company has not secured from the Commissioner of Indian Affairs or his authorized representative a federal traders license, as mandated by both 25 U.S.C. § 261 et seq. and 25 C.F.R. § 251.1 et seq., and, therefore, said EJ's Car and Truck Company is in patent violation of applicable federal law and is subject to immediate removal from the limits of the Fort Berthold Reservation; and

WHEREAS, It is the considered opinion of the Tribal Business Council of the Three Affiliated Tribes that it is not a matter of sheer coincidence that EJ's Car and Truck Company chose to introduce into the Fort Berthold Reservation certain used motor vehicles for trade with enrolled members of the Three Affiliated Tribes in temporal proximity to the anticipated date of receipt by said enrolled members of a substantial per capita payment and that the implementation of the legislative policy and intent of the above-identified statutory and regulatory enactments of the United States Congress is of crucial significance under the circumstances herein;

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby makes formal request of the Acting Superintendent of the Fort Berthold Agency of the Bureau of Indian Affairs that he, pursuant to the authority vested in him by 25 C.F.R. § 251.13, forthwith pursue any and all requisite actions to cause the representatives of EJ's Car and Truck Company and the used motor vehicles, situated on the land adjacent to the premises known as the Spotted Horn Store, in Mandaree, North Dakota, to be removed from the limits of the Fort Berthold Reservation; and

BE IT FURTHER RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby makes further formal request of the Acting Superintendent of the Fort Berthold Agency of the Bureau of Indian Affairs that he recommend to the Commissioner of Indian Affairs that any penalties, prescribed by 25 U.S.C. § 264 and by 25 C.F.R. § 251.3, be imposed against said EJ's Car and Truck Company as the Commissioner of Indian Affairs, within his discretion and under the circumstances, should deem appropriate.

C E R T I F I C A T I O N

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 11 members of whom 7 constitutes a quorum, 9 were present at a Special Meeting, thereof duly called, noticed, convened and held on the 6th day of August, 1982; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 9 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 6th DAY OF AUGUST, 1982.


SECRETARY, TRIBAL BUSINESS COUNCIL

ATTEST:


CHAIRMAN, TRIBAL BUSINESS COUNCIL

E J'S CAR & TRUCK.

1ST ANNUAL

ROUND-UP SALE

AUGUST 5, 6, 7

1982

SPOTTED HORN STORE

MANDAREE, N.D.

ENTIRE INVENTORY TO BE
OFFERED FOR SALE.

NOTE:

THE SPOTTED HORN STORE IS IN NO WAY ASSOCIATED WITH E.J.'S CAR & TRUCK CO. THE SPOTTED HORN STORE IS ONLY LEASING THE LAND TO E.J.'S CAR & TRUCK CO. AND IS NOT TO BE HELD RESPONSIBLE FOR ANY CAR-TRUCK, OR OTHER VEHICLE SOLD AT THIS SALE.

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