

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 By-laws of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities for the welfare and benefit of the tribes and tribal members; and
- WHEREAS, P.O. 93-638, 25 CFR 273.131 mandates that Johnson O'Malley funds be distributed on a substantially equal basis; and
- WHEREAS, P.L. 95-561, Section 1102(b) states, "the Secretary of Interior shall establish and publish the formula which the majority of the eligible Tribes determine by vote to be the most equitable"; and
- WHEREAS, the present Johnson O'Malley formula implemented in FY 1981 is not an equitable formula; and
- WHEREAS, the decision by the Assistant Secretary of Interior in June of 1979 which determined that each Alaskan Village would have one vote amounts to an abuse of his discretionary authority; and
- WHEREAS, said decision violates the equal protection rights guaranteed by the 5th Amendment of the United States Constitution; and
- WHEREAS, said decision further works to the detriment of a substantial portion of eligible Indian children, and ultimately to the detriment of a substantial portion of all Indian Tribes; and
- WHEREAS, P.L. 95-561, Section 1102(b) mandates that the Secretary shall revise such formula periodically as necessary; and
- NOW, THEREFORE, BE IT RESOLVED, that the Secretary of Interior take immediate and necessary action to revise the existing Johnson O'Malley formula to ensure that each eligible student receive equal share.
- BE IT FURTHER RESOLVED, that in the process of revising the Johnson O'Malley funding formula, that the Secretary abolish the precedent established in 1979, whereby each Alaskan Village/Corporation was determined to be an Alaskan Native Governmental entity fully eligible to vote on an equal basis with the Federally Recognized Tribes; and
- BE IT FURTHER RESOLVED, that until such time as the Secretary publishes the aforementioned formula revision, he take the necessary steps to establish an interim funding formula that will guarantee each eligible Johnson O'Malley student an equal share of the Johnson O'Malley appropriation.

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 constituting a quorum, 9 were present at a Regular Meeting, thereof duly called, noticed, convened, and held on the 13th day of May, 1983; 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 13th day of May, 1983

  
SECRETARY, TRIBAL BUSINESS COUNCIL

ATTEST:

  
CHAIRMAN, TRIBAL BUSINESS COUNCIL

THREE AFFILIATED TRIBES • FORT BERTHOLD RESERVATION

*Mandan, Hidatsa and Arikara Tribes*

TRIBAL BUSINESS COUNCIL

P.O. Box 220 • New Town, North Dakota 58763 • (701)627-4781

Alyce Spotted Bear  
Chairman

Tillie Walker  
Vice-Chairman  
West Segment

Matthew Mason  
Secretary  
North Segment

Dennis Huber  
Treasurer  
South Segment

Nathan Paul Good Iron  
West Segment

Gerald White Sr.  
East Segment

Roy Bird Bear  
West Segment

Pete Coffey Sr.  
East Segment

Ernest Stone  
South Segment


Marie D. Wells  
Northeast Segment

Donald Malnourie  
East Segment

MEMORANDUM

May 16, 1983

TO: Leo Brockie, Superintendent, Ft. Berthold Agency

FROM:  Matthew Mason, Secretary, Tribal Business Council

SUBJECT: Resolutions

Enclosed herewith are resolutions #83-113-S to #83-121-S. These have been requested from your Realty Office so they may begin closing the transactions.

#83-113-S	5/13/83	Land sale for Primrose T. Morgan
#83-114-S	5/13/83	Land sale for Quentin Whiteman, Jr.
#83-115-S	5/13/83	Land sale for Peter Paul Spotted Wolf
#83-116-S	5/13/83	Land sale for Avallon B. Knight
#83-117-S	5/13/83	Land sale for Carrie Brady
#83-118-S	5/13/83	Land sale for John H. Morsette
#83-119-S	5/13/83	Land sale for Gladys Old Mouse
#83-120-S	5/13/83	Land sale for Bernardine Yellow Wolf
#83-121-S	5/13/83	Land sale for Roger Old Mouse

