

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, Article VI, Section 5(j) of the Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to protect and preserve the property, wildlife, and natural resources of the Tribes and to regulate hunting and fishing on Tribal lands; and
- WHEREAS, Article VI, Section 5(b) of the Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to maintain a Tribal Business Council Fund by accepting grants from any person, state, or the United States; and
- WHEREAS, Article VI, Section 5(c) of the Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to administer any funds or property within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes of the Tribes, including salaries and other remuneration of Tribal officials and employees; and
- WHEREAS, Article VI, Section 3(a) of the Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to present and prosecute any claims or demands of the Three Affiliated Tribes, and to assist members of the Three Affiliated Tribes in presenting their claims or grievances before any court or agency of government, and to employ attorneys of record or representatives for such services and to determine their fees; and
- WHEREAS, The Fort Berthold Agency of the Bureau of Indian Affairs has recently advised the Tribal Business Council that the Bureau of Indian Affairs has appropriated certain funds through the Rights Protection Office for payment of the fees of attorneys retained by Indian tribes for the purpose of generally protecting tribal rights and pursuing tribal claims; and
- WHEREAS, The Three Affiliated Tribes have proposed to the State of North Dakota negotiations in the areas of water rights, hunting and fishing regulation, and taxation, and anticipate either the commencement of the proposed negotiations and/or the institution of litigation in such areas for the purpose of protecting and/or asserting the Tribes' respective inherent sovereign rights; and
- WHEREAS, The Three Affiliated Tribes will continue to attempt to secure the approval of the United States Congress of proposed federal legislation which would restore to the Three Affiliated Tribes all mineral interests in the lands which are situated within the exterior boundaries of the Fort Berthold Reservation, which lands were acquired by the United States in connection with the construction of the Garrison Dam and Reservoir Project; and

WHEREAS, The Tribal Business Council has gone on record to assume the burdensome responsibility of asserting all Tribal and individual 2415 claims which have arisen on the Fort Berthold Reservation with the intent of resolving all such claims in either a legislative or a litigious manner, which claims total approximately one hundred and fifty (150) in number; and

WHEREAS, It is the considered position of the Tribal Business Council that it is not merely advisable, but absolutely necessary, for the Three Affiliated Tribes to retain additional legal counsel so as to ensure that appropriate and adequate legal action is taken on behalf of the Tribes and their enrolled members for the purpose of protecting and/or asserting their inherent sovereign rights and pursuing the claims in the areas identified hereinabove;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby formally requests the sum of Seventy-Five Thousand and 00/100 Dollars (\$75,000.00) from those certain funds appropriated by the Bureau of Indian Affairs through the Rights Protection Office for the payment of fees to attorneys who would render legal assistance to the Three Affiliated Tribes in the following areas: water rights, hunting and fishing, taxation, mineral restoration, and 2415 claims.

BE IT FURTHER RESOLVED, That the Tribal Business Council hereby directs the Legal Department, Natural Resources Department, and Finance Office of the Three Affiliated Tribes to forthwith work in conjunction in the development and draft of a formal, comprehensive written request for the funds sought herein for submission to the Department of the Interior pursuant to 25 CFR Part 89.

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, 10 were present at a SPECIAL Meeting thereof duly called, noticed, convened and held on the 18 day of NOVEMBER, 1983; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 9 members, — members opposed, — members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

CHAIRMAN (Voting) (~~Not Voting~~)

Dated this 18 day of NOVEMBER, 1983.

Matthew Mason  
Secretary, Tribal Business Council

ATTEST:

Alvin Spooler  
Chairman, Tribal Business Council