

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 of the Three Affiliated Tribes 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 VI, Section 5(a) specifically authorizes and empowers the Tribal Business Council to manage all economic affairs of the Three Affiliated Tribes; and
- WHEREAS, Article VI, Section 5(j) specifically authorizes and empowers the Tribal Business Council to protect the property and the cultural integrity of the Three Affiliated Tribes and of the enrolled members thereof; and
- WHEREAS, Significant legal, economic, and cultural interests of the Three Affiliated Tribes hinge on the final resolution of jurisdictional disputes that have caused conflict between Tribal and non-Tribal interests in the Reservation; and
- WHEREAS, The Three Affiliated Tribes Tribal Business Council recognizes that it has the opportunity to resolve, by way of Constitutional amendment, this jurisdictional confusion by expressing its unequivocal intent to assert jurisdiction and sovereignty within the exterior boundaries of the Fort Berthold Reservation as to all persons and lands therein; and
- WHEREAS, That proposed Constitutional amendment will form the backbone for future Tribal legislation by ordinance in the important areas of land use planning, taxation, natural resources development, water rights, and regulation of business licensing and economic development; and
- WHEREAS, That Constitutional amendment requires that the Secretary of the Interior hold a special referendum election pursuant to 25 CFR, Part 81; and
- WHEREAS, The Secretary of the Interior, or his designated representative, has the responsibility of notifying the Tribal electorate of the purpose and substance of the proposed amendment and has the further responsibility of establishing and certifying a list of the eligible Tribal voters who may participate in the election; and
- WHEREAS, The Secretary of the Interior, or his designated representative, has other formal responsibilities, including the establishment of a Secretarial election board to assure a fair election in compliance with federal regulations; and
- WHEREAS, It is the considered opinion of the Tribal Business Council that a Secretarial election, for the purpose of proposing to the electorate this vital Constitutional amendment, should be held,
- NOW, THEREFORE, BE IT RESOLVED, That the Area Director of the Aberdeen Area Office of the Bureau of Indian Affairs be and hereby is requested to hold a special referendum election effecting an amendment of Article I of the Three Affiliated

Tribes' Constitution by amending the language of that Article to read as follows:

The jurisdiction of the Three Affiliated Tribes of the Fort Berthold Reservation shall extend to all persons and to all lands, including rights of way, Indian trust and Tribal lands and lands held in fee within the exterior boundaries of the Fort Berthold Reservation as defined by the Act of March 3, 1891, 26 Stat. 1032, to all lands added to the Fort Berthold Indian Reservation by Executive Order of June 17, 1892, and to such other lands and such other persons, within or without such boundaries, as have been or may be hereafter included within the jurisdiction of the Three Affiliated Tribes under any law of the United States, except as otherwise provided by law.

BE IT FURTHER RESOLVED, That the Legal Department is directed to propose correlative amendments to Article VI of the Constitution, entitled "Powers," extending the Tribes' legislative and judicial authority over all lands and persons within the exterior boundaries of the Fort Berthold Indian Reservation to the full extent authorized under federal law. Such proposed amendments, if approved by the Tribal Business Council, will also be subject to the special referendum election to be administered by the Secretary of the Interior.


BE IF FURTHER RESOLVED, That the Tribal Legal Department is hereby directed to assist the Superintendent, Leo Brockie, Jr., in the completion of any action necessary prior to the holding of this election.

BE IF FURTHER RESOLVED, That the Three Affiliated Tribes Tribal Business Council hereby recommends to the Superintendent that Madam Chairman, Alyce Spotted Bear, serve as a member of the Secretarial election board overseeing this election.

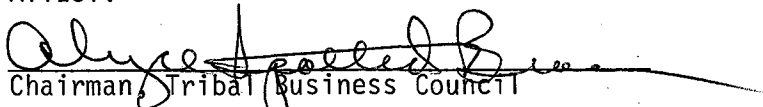
CERTIFICATION

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, 7 were present at ~~Special~~ Meeting thereof duly called, noticed, convened, and held on the 3 day of July, 1984; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 1 members opposed, — members abstained, — members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 3 day of July, 1984.


Secretary, Tribal Business Council

Chairman (Voting) ~~(Not Voting)~~

ATTEST:

Chairman, Tribal Business Council