

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(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
- WHEREAS, On, or about, December 20, 1984, the Garrison Diversion Unit Commission (GDUC) has directed the Secretary of Interior, pursuant to its authority under Section 207(c)(2)(H), Public Law 98-360, to establish a five member commission, of which no fewer than two (2) members are representatives of Indian Tribes, to examine the impact of the Pick-Sloan Program on the Fort Berthold Reservation, with special attention to the following issues:
- Full potential for irrigation,
  - Financial assistance for on-farm development costs,
  - Replacement of infrastructures lost by the creation of Garrison Dam and Lake Sakakawea and Oahe Dam and Lake Oahe,
  - Preferential rights to Pick-Sloan Missouri Basin power,
  - Development of shoreline recreational potential,
  - Return of excess lands,
  - Additional financial compensation,
  - Protection for reserved water rights,
  - Other items the five-member Commission may deem appropriate,
  - Funding of all items above from the Garrison Diversion Unit funds, if authorized; and
- WHEREAS, The Secretary is directed to appoint said Commission no later than January 31, 1985.
- WHEREAS, The Tribal Business Council believes that it is essential to preserve the rights of the Tribes under the terms of Public Law 98-360; and
- WHEREAS, The Tribal Legal Department has presented a draft plan regarding the structure, funding, staffing and schedule of this said commission; and
- WHEREAS, The Tribal Council has previously appointed several council members, including Mr. Gordon Blake and Ms. Tillie Walker, to oversee the work of the Legal Department in this important matter; and
- WHEREAS, The Legal Department believes it may be necessary to prepare a litigation strategy in support of the Tribes' goals in this matter; and

NOW THEREFORE BE IT RESOLVED, That Ms. Tillie Walker and Mr. Gordon Blake are hereby instructed to meet with the Secretary of the Interior, within a reasonable time, to ensure that the purpose of PL 98-360 as it relates to the Indian claims is carried out in line with the plan developed by the Legal Department; and

NOW, THEREFORE BE IT FURTHER RESOLVED, That the Tribal Legal Department is hereby directed to prepare an appropriate litigation strategy if the Secretary of the Interior, is so for any reason, unwilling to comply with the terms of PL 98-360 to the detriment of the Tribes.

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, 10 were present at the Special Meeting, thereof duly called, noticed, convened, and held on the 7<sup>th</sup> day of January, 1985; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 10 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 7<sup>th</sup> day of January, 1985.

Jah Chang  
SECRETARY, TRIBAL BUSINESS COUNCIL

ATTEST:

Alyce Spotted Bear  
CHAIRMAN, TRIBAL BUSINESS COUNCIL