

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 3(a) specifically authorizes and empowers the Tribal Business Council to present and prosecute any claims or demands of the Three Affiliated Tribes; and
- WHEREAS, By previous resolution, the Tribal Business Council directed the Legal Department to insure that the recommendations of the Garrison Diversion Unit Commission (GDUC) regarding the Three Affiliated Tribes were carried out fully and fairly by the Secretary of the Interior; and
- WHEREAS, The Tribal Legal Department has advised the Tribal Business Council that there is a legal basis for challenging the failure of the Secretary of the Interior to carry out those recommendations in any substantive aspect; and
- WHEREAS, The Tribal Business Council has further been advised of the legal theories on which such lawsuit would be premised; and
- WHEREAS, The goal of such litigation would be to protect the substantive legal rights of the Tribes;
- NOW, THEREFORE, BE IT RESOLVED, That the Tribal Legal Department is hereby directed to prepare the appropriate litigation documents for filing in the Federal District Court for the District of Columbia to compel the Secretary of the Interior to comply with the legally binding recommendations of the GDUC.
- BE IF FURTHER RESOLVED, That such litigation shall not be filed until approved by further resolution of the Tribal Business Council.

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, 9 were present at a Special meeting thereof duly called, noticed, convened, and held on the 7 day of February 1985; 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vote of 9 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 4 day of February, 1985.

Edmund White Bear HETIAK  
Secretary, Tribal Business Council

ATTEST:

Oliver Apolod Deo  
Chairman, Tribal Business Council