

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 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 IV, Section 3(b) of the Tribal Constitution provides that a tribal primary election will be held on the third Tuesday in September of each even numbered year; and

WHEREAS, Such a tribal primary election was held on September 16, 1986, in the Parshall/Lucky Mound voting segment; and

WHEREAS, The conduct of the above referenced tribal primary is governed by the terms and provisions of the Election Ordinance of the Three Affiliated Tribes, adopted, as amended, by the Tribal Council on June 30, 1986; and

WHEREAS, Certain allegations of misconduct by the Tribal Election Board appointed by the Tribal Council pursuant to the terms of the Election Ordinance have arisen in reference to this tribal primary; and

WHEREAS, These allegations of misconduct were presented to the Tribal Council by way of petition, attached herein as Appendix "A", on October 28, 1986, from named qualified voters of the above tribal election district; and

WHEREAS, The Tribal Council believes that these complaints of misconduct may have merit; and

WHEREAS, The appropriate forum for the resolution of all the issues raised by the aforesaid petition is in the Fort Berthold District Court; and

WHEREAS, There is a need for the expedited determination by the Fort Berthold District Court of the issues presented by this petition; and

NOW THEREFORE BE IT RESOLVED, That this matter is hereby transferred to the Fort Berthold District Court for disposition in no more than thirty (30) days from the date of this resolution; and

NORTHEAST SEGMENT PETITION

OCT 23 1986

We, the undersigned, adult enrolled members of the Three Affiliated Tribes (Arikara, Hidatsa, and Mandan), Northeast Segment, Fort Berthold Reservation, Parshall, North Dakota, hereby request reelection of the Northeast Segment Candidates before November 4, 1986; or that all eligible candidates be granted to run in the Tribal General Council Election November 4, 1986 for the following reasons:

1. Our tribal, and civil rights have been violated and taken for granted by the Tribal Election Board appointed by the Governing Body of the Tribes by not adhering to the Tribal Election Ordinance No. \_\_\_\_\_ most recently approved by Resolution No. \_\_\_\_\_, dated \_\_\_\_\_ 1986.
2. The Governing Body appointed one Camille Holthoff who at no time resided in the town of Parshall; nor the Northeast Segment. Mrs. Holthoff was totally not knowledgeably, and unfamiliar with the adult enrolled members, and families as to their established voting districts. This, also, was due to the fact that the Governing Body failed to have the adult enrolled members preregister prior to the Primary Election. In the past, as of 1934, the adoption of the Tribal Constitution included the right to register to vote. The members register to vote in the district they resided in; where they cast their first ballot or where they had land holdings. The right to register to vote is also included in the 1968 Indian Civil Rights Act.  
  
By having no voters 'registration list' at the Parshall Polling Place in the Election held September 16, 1986 caused tribal members from the East, West, and North Segments to vote for the Northeast Segment candidates. These members were brought to the Polls by the brother to two of the candidates.
3. The Tribal Election Board, and Camille Holthoff serving as the Chairperson of the Board appointed one Kevin Bracklin, a blood nephew to the Foote brothers who were candidates in the Election. We are most certain that his mere presence intimidated a good number of the voters that were being brought to the Polls by his Mother and Aunt.
4. Candidates who owed, and were delinquent to the Tribe were allowed to run, and their indebtedness deferred. This action of the Tribal Election Board is totally unfair, and discriminatory to the eligible candidates who were required to pay in full all delinquent indebtedness to the Tribes. This was discriminatory as many other members declined to run because of economic hard times were unable to pay delinquent debts due the Tribe. The candidates who were delinquent and allowed to run should be made to pay in full all delinquent debts, or be declared not eligible to run in the Election. These debts to include all farm, grazing, recreational, housing, housing lot rentals etc.
5. Candidates were not thoroughly screened to establish the six month residency requirement and/or the one year requirement whichever was adopted in the most recent Election Ordinance. We have a right to certain procedural protection because these changes affect the entire Tribes' future when not adhered to.
6. The recent adopted Election Ordinance was at no time reviewed with the eligible candidates nor were the eligible candidates informed of their rights, and what recourses were afforded them. The Election Board failed to give 'due process' to the eligible candidates.
7. At the Northeast Segment Polling Place, September 16, 1986, only one poll book was used whereby each voter signed their name and address themselves across from a specific number. LaVonne Bruce, an eligible candidate, voted at 6:00 p.m. She noted and commented while signing her name that she was the 190th person to vote. At 6:30 p.m., another eligible candidate voted, and he noted that he was the 168th to have voted. At the time of the counting of ballots, the above fact was brought to the immediate attention of Kipp Quale, a non-member of the Tribe because it was stated to the Public that the Northeast Segment cast a total of 173. He left and quickly returned stating that an error was made at the Polls in the one poll book, and an XX was made and a new page started. He, nor the Election Board would permit one of the eligible candidates to see the one poll book that was signed by the voters. This in itself should be cause for reelection in the Northeast Segment. This is a tribal election and the 1968 Indian Civil Rights Act includes the "right to have one's vote counted honestly."

This Ordinance which was hurriedly passed by the Governing Body should not have become effective until the following year as it is our understanding that the official copy is being completed from a rough draft. This should be cause to hold up the Election for the Governing Body to thoroughly study what they have adopted.

NORTHEAST SEGMENT PETITION CONT.

We cannot have non-eligible candidates representing the Three Affiliated Tribes. It is extremely detrimental and will jeopardize the Tribes' future. We fear for our children, grandchildren and great-grandchildren. We kindly petition the Tribal Business Council of the Three Affiliated Tribes to grant us our due process to have all eligible candidates of the Northeast Segment run in the November 4, 1986 Election based on the reasons contained in the foregoing PETITION. We pray you uphold the Tribal Constitution, and By-laws of the Tribes.

	<u>NAME</u>	<u>ADDRESS</u>	<u>DATE</u>
1.	P. David Sanderson	P.O. # 211 Parshall N.D.	Oct. 8, 86
2.	J. Olin Bad Move	P.O. # 452 - Parshall N.D. 58770	
3.	Angela Plante	PO#133 Parshall N.D.	Oct. 8-86
4.	Sharon Plante	P.O. #133 Parshall, N.D.	Oct. 8-86
5.	Wanda Montclair	Perm. Del. Parshall, N.D.	Oct. 8-86
6.	Marion Washington	" " Parshall, N.D.	Oct 8, 86
7.	Jarvis Gayle	Parshall N.D. Dak	Oct. 8, 1986
8.	Lillian Plante	Parshall, N.D.	Oct. 8, 1986
9.	Jeralyn DeCent	Parshall, N.D.	Oct 8, 1986
10.	James Old Bear Sr.	Parshall, N.D.	OCT 8, 1986
11.	Cecilia Linder	Parshall N.D.	Oct 8, 1986
12.	Arleta DeCure	Parshall N.D. Dak	Oct 8,
13.	Lillian Bean	Parshall, N.D.	Oct 8, 86
14.	Brighton Gardner	Parshall N.D.	Oct 8, 86
15.	Burgaret Shanon	Parshall, N.D.	Oct. 8, 86
16.	Charles J. Fox	Parshall, N.D.	Oct. 8, 86
17.	Richard Smith	Parshall, N.D. Dak.	Oct 8 '86
18.	Isaac Fox	Parshall, N.D.	Oct 8, 1986
19.	Maria Yellow Bird	Parshall N.D.	Oct. 8, 1986
20.	Correy DeCure	Parshall N.D.	Oct 8, 1986
21.	Wanda Brumback	Parshall, N.D. 58770	Oct 8, 86
22.	Bryan Rogers	Parshall, N.D. 58770	Oct. 8, 86
23.	Rita Olson	Parshall N.D. Dak	Oct 8, 86
24.	Luann Olson	Parshall, N. Dak. 58770	Oct. 8, 86
25.	Lorain Brumback	Parshall N.D. 58770	Oct 8, 86
26.	Bonnie Standing Soldier	Parshall, N.D. 58770	Oct 8, 86
27.	Christine Standing Soldier	Parshall, N.D. 58770	Oct 8, 1986
28.	Tippert Eagle	Parshall, N.D. 58770	Oct. 8 - 86
29.	Edith Eagle	Parshall, N.D. 58770	Oct. 8 - 86
30.	Ada White Lightning	Parshall, N.D. 58770	Oct 8, 86
31.	John Bruce	Parshall, N.D. 58770	Oct 8, 86
32.	Marcella Hart-Bell	Parshall, N.D. 58770	Oct 8, 86
33.	Carl Brumback	Parshall N.D. 58770	Oct. 8, 86

	NAME	ADDRESS	DATE
34.	Raymond Rogers	1513 Parshall Rd	10/18/86
35.	Martina Perkins	Parshall N.D.	10-8-86
36.	Juan Robinson	Parshall N.D.	10-8-86
37.	Sam Plant, Chief	Parshall N.D.	10-8-86
38.	May Brown Wells	Box 34 Kustace Rd	10-8-86
39.	Lia Boston	Box 242 Parshall N.D.	10-8-86
40.	Baron Jay Cross	Parshall, N.D.	58770 10/8/86
41.	Claris Fickieau	Parshall, N.D. Box 198	10-8-86
42.	Charles Pachieau	Parshall N.D.	10/8/86
43.	Sharon Raytrice S.P.	Parshall N.D.	10/8/86
44.	Sheila Pace	Parshall, ND	10/8/86
45.	Elizabeth Parshall	Parshall N.D.	10-8-86
46.	Russell Parshall	Parshall (N.D.)	10/8/86
47.	Marsha Vandyke	Parshall N.D.	10/8/86
48.	Norma King Bitt	Parshall, N.D.	10-8-86
49.	Walter Brown	Parshall N.D.	10-8-86
50.	August Harmon	Parshall N.D.	10-8-86
51.	John Paul Weston	Parshall, N.D.	10/9/86
52.	Raymond Harmon	Parshall N.D.	10/9/86
53.	Larry A. Kraft	Parshall N.D.	10/10/86
54.	Mrs. Jean Harbison	Parshall N.D.	10/9/86
55.	John A. Harmon	Parshall (N.D.)	10-9-86
56.	Amur B. Wells	Parshall N.D.	10-9-86
57.	Phyllis K. Wells	Parshall, N.D.	10-9-86
58.	Angela Little Bird	Parshall, N.D.	10-14-86
59.	Frank MacPlyme, Jr.	Parshall, N.D.	10-14-86
60.	Serena Gardner	Parshall N.D.	10-14-86
61.	Phanne Good Luck	Parshall N.D.	10-14-86
62.	Silva Dauling Wolf	Parshall, N.D.	10-14-86
63.			
64.			

NOW THEREFORE BE IT FURTHER RESOLVED That Resolution No. 86-217-C is hereby amended so as to authorize the Fort Berthold District Court to determine the validity of any and all of the allegations raised by the aforesaid petition; and

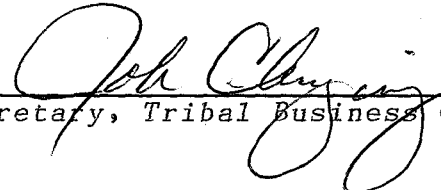
NOW THEREFORE BE IT FURTHER RESOLVED, That any further petitions alleging misconduct in relation to tribal primaries held in other voting segments must be filed with the Fort Berthold District Court no later than seven (7) days from the date of this resolution; and

NOW THEREFORE, BE IT FURTHER RESOLVED, That the General Tribal Election scheduled to be held on November 4, 1986, is hereby postponed until December 4, 1986.

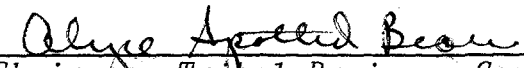
C E R T I F I C A T I O N

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 constitute a quorum, 8 were present at a SPECIAL Meeting thereof duly called, noticed, convened, and held on the 21<sup>st</sup> day of OCTOBER, 1986; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 2 members opposed, 1 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 21<sup>st</sup> day of OCTOBER, 1986.

  
Secretary, Tribal Business Council

ATTEST:

  
Chairman, Tribal Business Council