

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, The implementation of the massive federal water project, known as the Pick-Sloan Project, on the Fort Berthold Indian Reservation in the 1950s inflicted severe social and economic costs on the tribal people for which they have never been adequately compensated by the federal government;
- WHEREAS, The adverse impacts of the implementation of the Pick-Sloan Program on Fort Berthold, included the loss of a significant portion of the Tribes irrigable land base, as well as the displacement and dispersion of the tribal population far from adequate supplies of fresh and potable water;
- WHEREAS, The Tribes' testimony before the Garrison Diversion Unit Commission (GDUC) regarding these adverse impacts resulted in the GDUC recommending that substantial irrigation, as well as other benefits, be awarded the Tribes as partial compensation for losses inflicted by the implementation of the Pick-Sloan Program on the Fort Berthold Reservation;
- WHEREAS, Congress, as a consequence of the GDUC's recommendations, authorized \$60 million for irrigation development and \$20.5 for municipal, industrial and rural (MIR) development on Fort Berthold under the terms of Pub. L. 99-294;
- WHEREAS, Congress emphasized in its committee report accompanying Pub. L. 99-294 that the purpose and intent of these authorizations is to partially compensate the Tribes for their losses associated with the taking of their lands as the site for the Garrison Dam;
- WHEREAS, The Three Affiliated Tribes deem the prompt implementation of the developments called for by Pub. L. 99-294 to be of critical importance to the Tribes;
- WHEREAS, The Tribal Council believes that the proposed irrigation and MIR developments--if properly designed constructed, and managed--can substantially aid the Tribes in recovering from the substantial adverse social and economic effects of the Garrison Dam on the tribal people of the Fort Berthold Reservation;

WHEREAS, The informed participation of the Tribes in the planning, design and construction of these developments is essential to the fulfillment of the express statutory intent of Pub. L. 99-294;

WHEREAS, BIA and the Bureau of Reclamation (BREC) have acknowledged the necessity of the Tribes' participation by the execution of any Interagency Agreement to achieve that purpose;

WHEREAS, BREC has transferred \$50,000 in FY 87 monies and \$10,000 in FY 88 monies to fund the Tribes' participation in this regard;

WHEREAS, The Legal Department has advised the Tribes to request a Pub. L. 93-638 contract in the amount of \$50,000.00 from BIA for FY 1987 to achieve their formal participation in these developments;

THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby:

1. Requests a Pub. L. 93-638 Contract in the amount of \$50,000.00 for FY 1987 in order to carry out the Three Affiliated Tribes' Coordination of the Implementation of the Irrigation and MIR Development authorized on the Fort Berthold Reservation pursuant to the terms of the Garrison Reformulation Act, Public Law 99-294;
2. Approves the contracts of the technical consultants identified in section 3 below;
3. Requests the BIA to authorize the Tribes to enter into sole source subcontracts with the following technical consultants:
 - a. HKM Associates of Billings, Montana, 59107;
 - b. Dr. William Gorman of Las Cruces, New Mexico 88001;
4. Authorizes the Tribal Chairman, Ms. Alyce Spotted Bear, to execute all the documents necessary to carry out this request.

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, 7 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 23 day of February, 1986; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of _____ members, _____ members opposed, _____ members abstained, _____ members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 23rd day of February, 1987.

John Changin
Secretary, Tribal Business Council

ATTEST:

Alyce SpallB
Chairman, Tribal Business Council