

**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 an 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 specifically authorizes and empowers the Tribal Business Council to protect and preserve the property of the Tribes; and
- WHEREAS,** Article VI, Section 5(d) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to protect and preserve the property of the Tribes; and
- WHEREAS,** In its Final Report, the Garrison Unit Joint Tribal Advisory Committee made numerous findings relating to the adverse impacts on the people of the Three Affiliated Tribes caused by the forced relocation of the Tribal people from their ancestral Reservation homes on the Missouri River bottomlands to new homes constructed on upland allotments and Tribal lands; and
- WHEREAS,** Such adverse impacts include the loss of reasonable access between homesites and primary road system and the loss of the natural protection of homesites from the meteorological elements previously afforded by trees and topography; and
- WHEREAS,** The findings of adversity in such impacts were based upon documentation, derived from a study conducted by the Tribes and the Bureau of Indian Affairs, that two hundred and sixty-nine (269) off-highway/homesite access roads were in need of either rebuilding or new construction and upon evidence, presented through testimony and documentation, that residents of the new homes situated in the unprotected uplands have been incurrning exorbitant costs in home heating during the winter months and in homesite maintenance during the balance of the year; and
- WHEREAS,** There currently exists, throughout the Fort Berthold

Reservation, a dire need for substantial improvement of the access between Indian homes and the primary road system and of the topography and protection of Indian homesites, including, but not limited to, the construction and reconstruction of off-highway/homesite access roads, the topographical landscaping of homesites to provide proper and adequate drainage, and the construction of homesite shelter belts to provide adequate protection from the wind and precipitation; and

WHEREAS, The realization of such necessary improvements is assuredly beyond the economic means of any of the individual Indian homeowners and there is currently functioning no program, whether administered by the Three Affiliated Tribes, the Bureau of Indian Affairs, the State of North Dakota, or the political subdivisions of the State, which can provide adequate funding and/or services to pursue such necessary improvements; and

WHEREAS, There are, however, currently functioning a number of government agencies which could, through a joint and cooperative effort constituted by a vehicle such as a public works program, make monetary and/or in-kind contributions toward the pursuit of such necessary Indian homesite improvements, e.g., the Natural Resources Department, Material Resources Department, and Comprehensive Management Assistance Office of the Three Affiliated Tribes, the Roads Office and Range and Soils Office of the Bureau of Indian Affairs, the Indian Health Service, the Fort Berthold Housing Authority, and the North Dakota public school districts; and

WHEREAS, In addition to satisfying the significant need for Indian homesite improvements, a public works program operating on the Reservation will serve to alleviate the grave problem of the seventy percent (70%) rate of unemployment in the Tribal member workforce, which problem is documented by statistics reflecting the number of resident Tribal members and families currently receiving public welfare benefits and is unlikely to be ameliorated in the near future due to the forecast for the continuance of a sluggish local economy; and

WHEREAS, Additionally, a public works program operating on the Reservation will, in all likelihood, indirectly and ultimately serve to enhance the general physiological and psychological health of many resident Tribal members and to curb the incidence of domestic problems, such as child and spouse abuse, and of alcohol and drug abuse among resident Tribal members, all of which problems result, in part, from the stress, frustration, and anxiety precipitated by unemployment and economic devastation occasioned by the

typically exorbitant costs incurred in the heating of homes and maintenance of homesites on the rural uplands of the Reservation; and

WHEREAS, The Tribal Business Council recognizes the need for the conduct of a planning study of the feasibility of an intergovernmental public works program or project in the above-identified area;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby authorizes and directs the Tribal Comprehensive Management Assistance Office to perform a study of the feasibility of and the development of a plan for the implementation of an intergovernmental public works program or project utilizing the available monetary and in-kind resources maintained by various Tribal, federal, and State agencies for the improvement and construction of access roads between Indian homesites and the primary Reservation road system and the improvement of Indian homesites in the provision of adequate protection from the meteorological elements.

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 7 members of whom 5 constitute a quorum, 5 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 22nd day of April, 1987; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 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 the 22nd day of April, 1987.

Acting: Edwin Cross Breast Jr.
Secretary, Tribal Business Council

ATTEST:

Edward You Fisher
Chairman, Tribal Business Council