

**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 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 negotiate with agencies of the United States Government on behalf of the Tribes; and
- WHEREAS,** Via Resolution #87-33-TL, dated the 24th day of April, 1987, the Tribal Business Council authorized and directed the Comprehensive Management Assistance Office of the Three Affiliated Tribes 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 road system on the Fort Berthold Reservation and the improvement of Indian homesites in the provision of adequate protection from the meteorological elements; and
- WHEREAS,** As is noted in said Resolution #87-33-TL, the need for the improvement of homesites and homesite access roads is the direct result of the identified adverse impacts on the people of the Three Affiliated Tribes caused by their forced relocation from their ancestral Reservation homes on the Missouri River bottomlands to new homes constructed on upland allotments and Tribal lands, prior to the inundation of the bottomlands under the Pick-Sloan Missouri River Basin Program; and

- WHEREAS,** In its Final Report, the Garrison Unit Joint Tribal Advisory Committee made specific recommendations for such improvement as an element of the attempt to replace the Tribal infrastructure lost as a result of the construction of the Garrison Dam and the concomitant creation of Lake Sakakawea; and
- WHEREAS,** In his testimony presented at a joint Congressional committee hearing in support of the various recommendations made by the Joint Tribal Advisory Committee, Edward Lone Fight, Chairman of the Three Affiliated Tribes, represented that the Tribes, in lieu of seeking additional Congressional legislative authorization, would attempt to work in conjunction with federal agencies, such as the Bureau of Indian Affairs, under existing law and authority, for the purpose of achieving the realization of the Joint Tribal Advisory Committee recommendations relating to the replacement of the lost Tribal infrastructure, including the improvement of Indian homesites and homesite access roads; and
- WHEREAS,** It is the considered judgment of the Tribal Business Council that the Tribes can, under existing law and authority, work with the Bureau of Indian Affairs to satisfy the critical need for the improvement of Reservation homesites and homesite access roads through the establishment and operation the proposed public works program or project, assisted, in part, by an appropriation and allocation of available funds and road construction and maintenance equipment and supplies maintained by the Bureau; and
- WHEREAS,** The primary purposes of the proposed public works program or project are twofold, to-wit: (1) the satisfaction of the significant need for substantial improvement of Indian homesites and homesite access roads and (2) the alleviation of the grave problem of the seventy percent (70%) rate of unemployment in the Tribal member workforce on the Fort Berthold Reservation; and
- WHEREAS,** Such inordinate and devastating unemployment rate, which underlies the social and economic crisis situation existent on the Reservation, is documented by statistics reflecting the number of resident Tribal members and families currently receiving public welfare benefits, including General Assistance from the Bureau of Indian Affairs, and is a problem which will unlikely be ameliorated in the near future due to the forecast for the continuance of a sluggish, if not nonexistent, Reservation economy; and
- WHEREAS,** The intent of the proposed public works program or project is in harmony with a Bureau of Indian Affairs policy change recently unveiled by Ross O. Swimmer, Assistant Secretary -

Indian Affairs, whereby Bureau General Assistance recipients, as a condition precedent to the receipt of such public welfare benefits, would be required to either work in public works projects or participate in job training programs; and

**WHEREAS,** In conjunction with the operation of the public works effort proposed by the Three Affiliated Tribes, the Tribal Business Council will strive to ensure that the novel Bureau program evolving from the recently-published policy change will be implemented on the Fort Berthold Reservation with success, benefiting both the Tribal people and the Bureau of Indian Affairs;

**NOW, THEREFORE, BE IT RESOLVED,** That the Tribal Business Council of the Three Affiliated Tribes hereby formally requests that Ross O. Swimmer, in his capacity as Assistant Secretary - Indian Affairs for the Department of the Interior, provide assistance to the Three Affiliated Tribes in the implementation of their proposed public works program in the following manner:

1. Identify and authorize the appropriation and allocation of available Bureau of Indian Affairs funds to support a P.L. 93-638 contract to be entered into between the Three Affiliated Tribes and the Bureau for the operation of the public works program of the Tribes.

2. Authorize the allocation of available road construction and maintenance equipment and supplies maintained by the Bureau of Indian Affairs, as requested by the Fort Berthold Agency, for use by the Three Affiliated Tribes in the performance of their obligations under said P.L. 93-638 contract.

3. Attempt to secure the appropriation of funds, and the coordination thereof, from federal agencies other than the Bureau of Indian Affairs (e.g., the Department of Housing and Urban Development, the Department of Energy, and the Indian Health Service) for the purpose of developing and implementing a joint federal agency effort to establish and fund public works programs or projects on all Indian reservations, comparable to the public works effort proposed by the Three Affiliated Tribes.

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, 2 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: Elgin Crow Breast Jr.  
Secretary, Tribal Business Council

ATTEST:

Stuart Lone Eagle  
Chairman, Tribal Business Council