

**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,** Congress, acting through Pub. L. 99-294, has authorized the expenditure of \$20.5 million dollars for municipal, industrial and rural (MIR) water development on the Fort Berthold Indian Reservation, the Standing Rock Sioux Reservation, and the Devils Lake Sioux Reservation.
- WHEREAS,** Congress' declared purpose in that statute is to protect the environmental and public health interests of the tribal people residing on those reservations;
- WHEREAS,** The Tribal Business Council has accepted approximately \$8 million dollars as its allocation of project funds for Phase I of the MIR project development on the Fort Berthold Reservation;
- WHEREAS,** Approximately \$700,000 in FY 1988 appropriations will be available to perform the following tasks: to complete a Definite Plan Report (DPR) for the Phase I study area which includes the White Shield Segment and the rehabilitation of the existing Mandaree, Twin Buttes and Four Bears water supply systems as well as the extension of the Four Bears Water Supply System into the immediate rural area;
- WHEREAS,** The Tribal Business Council on advice from the Legal Department and its engineering consultant HKM, believes that the Tribes should consider contracting, pursuant to the Indian Self Determination Act, 25 U.S.C. §450, the design and construction functions of MIR, development, subject to Bureau of Reclamation oversight;
- WHEREAS,** The Tribal Business Council has also been advised by the Legal Department of the need for Secretarial interpretation of a key portion of Pub. L. 99-294 regarding the Secretary's responsibility to operate and maintain the MIR system on the Fort Berthold Reservation;

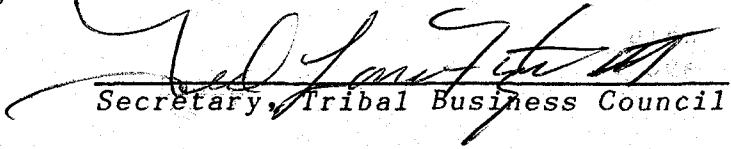
NOW THEREFORE BE IT RESOLVED THAT

1. The Legal Department is directed to prepare, with the assistance of its engineering consultant, a proposal, subject to council review, to the Secretary of Interior for the contracting of the design and construction functions associated with MIR development on Fort Berthold
2. The Legal Department is directed to analyze the Secretary's responsibilities under Pub. L. 99-294 for the payment of the OMR costs associated with the MIR systems on Fort Berthold;
3. The Legal Department is directed to resolve both of the above identified issues no later than July 15, 1987;
4. The Bureau of Reclamation is directed to utilize the \$700,000 in FY 1988 appropriations to complete a Definite Plan Report (DPR), for Tribal Council review and approval, that includes the following tasks: the analysis of the public and environmental needs of the tribal residents of the White Shield Segment and the rehabilitation costs of the existing Mandaree, Twin Buttes and Four Bears Water Supply Systems as well as the extension of the Four Bears system into the immediate rural area.

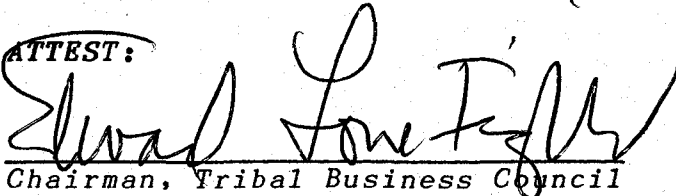
C E R T I F I C A T I O N

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 Regular Meeting thereof duly called, noticed, convened, and held on the 15th day of May, 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 15th day of May, 1987.


Secretary, Tribal Business Council

ATTEST:


Chairman, Tribal Business Council