

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, A federal Indian Commission, the Joint Tribal Advisory Commission (JTAC), has issued its final report to the Secretary of Interior and Congress on May 23, 1986;
- WHEREAS, The JTAC has determined that the Three Affiliated Tribes are entitled to \$178.4 million dollars in additional financial compensation for the federal taking of 156,035 acres of reservation lands as the site for a federal multi-purpose reservoir;
- WHEREAS, The Senate Select Committee on Indian Affairs, the Senate Energy Committee, and the House Subcommittee on Water and Power have held joint congressional hearings on March 31, 1987, regarding the recommendations of that federal Indian commission;
- WHEREAS, The Chairman of the JTAC, General C. Emerson Murry, testified before those congressional committees that the Three Affiliated Tribes have never participated in the substantial wealth and benefits created by the Pick-Sloan Program, estimated by General Murry to be valued in excess of \$3 billion dollars annually;
- WHEREAS, The Tribal Business Council has been advised by the Legal Department, and its legislative consultant, Mr. Lee Foley of Moss, McGee and Bellmon (MMB), that the report soon to be issued by the committees will be supportive of the Tribes' entitlement to additional financial compensation;
- WHEREAS, The Tribal Business Council has been further advised by the Legal Department that it must be prepared to present a fiscally restrained method of congressional payment of the just compensation in the amount of \$178.4 million dollars;
- WHEREAS, The Tribal Business Council has expressed its willingness to achieve a payment method that accommodates the budgetary needs of the 100th Congress;
- WHEREAS, The Tribal Business Council has also expressed its willingness to consider a financing option whereby the

Tribes would share in the power revenues generated from the sale of Pick-Sloan hydroelectric power;

WHEREAS, The Tribal Business Council has been advised by the Legal Department that this alternative may be preferable because it results only in an off-budget impact at the congressional budget level.

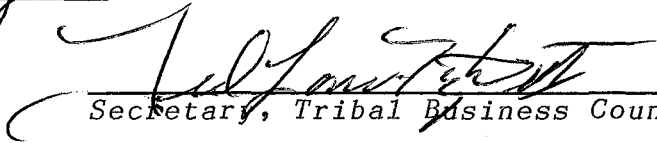
NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby:

1. Directs the Legal Department and its legislative consultant to prepare a draft just compensation bill for council review by May 25, 1987;
2. Directs the Legal Department to incorporate in the draft a reasonable financing option that is supported by the Congressional staff of the above identified committees;
3. Directs the Legal Department to schedule meetings with the appropriate Congressional and agency staff to discuss the draft just compensation bill, after council approval, no later than June 7, 1987;
4. Directs the Legal Department to ensure that a tribally approved just compensation bill is introduced in Congress by the appropriate Congressional sponsors, no later than August 1, 1987.


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