

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 3 of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to exercise all necessary sovereign authority - legislative and judicial - for the purpose of exercising the jurisdiction granted in Article I of the Constitution, which jurisdiction expressly extends over all lands, including non-Indian owned fee lands situated, and over all persons, including non-Indians, resident and/or doing business within the exterior boundaries of the Fort Berthold Reservation; and
- WHEREAS, Article VI, Section 3(A) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to present and prosecute any claims of the Three Affiliated Tribes before any court or agency of government and to employ legal counsel for such purposes; and
- WHEREAS, Article VI, Section 5(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to administer any funds and property within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes 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 the federal, State, and local governments on behalf of the Tribes, and to advise and consult with representatives of the Department of the Interior on all Department actions which may affect the Fort Berthold Reservation; and

WHEREAS, Article VI, Section 5(1) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to enact statutory and regulatory laws governing the procedures to be implemented and complied with by the governmental agencies and other instrumentalities of the Three Affiliated Tribes; and

WHEREAS, Article IX, Section 6 of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to acquire by purchase, exchange of Tribal land, relinquishment, or other means any lands or interests in land for and on behalf of the Tribes, subject to the approval of the Secretary of the Interior; and

WHEREAS, Section 1 of the Charter of the Three Affiliated Tribes provides that one of the purposes for which the Tribes were chartered pursuant to Section 17 of the Indian Reorganization Act is to provide for the proper exercise by the Tribes of various functions currently performed by the Department of the Interior; and

WHEREAS, Section 5(b) of the Charter of the Three Affiliated Tribes provides that the Tribes have the power to purchase, take by gift, bequest, or otherwise, and own property of every description, real and personal; and

WHEREAS, Section 5(f) of the Charter of the Three Affiliated Tribes provides that the Tribes are empowered to make and perform contracts and agreements of every description with any agency of the United States, with the State of North Dakota, and with any county and municipality; and

WHEREAS, The Three Affiliated Tribes entered into a P.L. 93-638 Contract (No. AOOC14202597) with the Bureau of Indian Affairs for the purpose of performing a comprehensive Tribal transportation planning study for the Fort Berthold Reservation, which study would address various needs of the Three Affiliated Tribes in the proposed assertion of their sovereign authority and jurisdiction over vehicular travel and the system of roads traversing the Reservation; and

WHEREAS, The performance of said transportation planning study has been completed and included in the final study report are numerous factual findings, legal conclusions, and recommendations relating to the jurisdiction and authority of the Three Affiliated

Tribes in the areas of taxation, business regulation, land use planning and zoning, Indian preference in employment and contracting, and traffic and highway regulation; and


WHEREAS, The Tribal Business Council and its Transportation Committee have thoroughly reviewed, considered, and discussed the various factual findings, legal conclusions, and recommendations set forth in such final study report and have determined that the best interests of the Three Affiliated Tribes would be subserved by pursuing the specific actions so recommended;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby generally approves the Final Report On The Comprehensive Fort Berthold Reservation Transportation Planning Study performed pursuant to Contract No. A00C14202597 and specifically accepts the various express recommendations made in said report.


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, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 10th day of December, 1987; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 1 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 10th day of December, 1987.

  
Secretary, Tribal Business Council

ATTEST:

  
Edmund White Bear Sr.  
Chairman, Tribal Business Council