

**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, both legislative and judicial, to assert the extensive inherent jurisdiction recognized in Article I of the Constitution; 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 and officials of the government of the State of North Dakota; and
- WHEREAS,** In consonance with the now well established federal policy of encouraging and enhancing Indian tribal self-government, self-determination, and economic self-sufficiency, the Three Affiliated Tribes have recently devoted certain time and effort to conducting research as to the legal possibility and economic feasibility of establishing and maintaining a Tribal motor vehicle registration and licensing department to supplant the continued exercise by the State of North Dakota of jurisdiction and authority over the registration and licensing of motor vehicles owned by enrolled members of the Three Affiliated Tribes resident on the Fort Berthold Reservation; and
- WHEREAS,** The development and administration by the Three Affiliated Tribes of such governmental function would serve not only to strengthen Tribal self-government and the government-to-government relationship between the Tribes and the State of North Dakota, but also to enhance economic development on the Fort Berthold Reservation by virtue of providing much needed employment opportunities to Tribal members and supplementing the present sources of income to Tribal government; and

WHEREAS, For numerous years, the legislative and judicial branches of the government of the Three Affiliated Tribes have been exercising extensive jurisdiction and authority over motor vehicle owners and operators and public highways within the exterior boundaries of the Fort Berthold Reservation, which jurisdiction and authority has been embodied in such Tribal enactments as the motor vehicle/traffic code, abandoned motor vehicles code, highway ordinance, and Transportation Department; and

WHEREAS, Approximately two years ago, the Three Affiliated Tribes, under a P. L. 93-638 contract entered into with the Bureau of Indian Affairs, completed an extensive and comprehensive technical and legal study addressing transportation and the various public highway systems within the exterior boundaries of the Fort Berthold Reservation, which study has been used by numerous other tribes throughout Indian Country for purposes of reservation transportation planning and legislative regulation; and

WHEREAS, The Tribal Business Council has also recently taken formal action to direct that the Transportation Committee of the Council, with the assistance of the Tribal Comprehensive Planning Management Department, prepare and submit to the Bureau of Indian Affairs a formal application for a P.L. 93-638 contract with the Bureau, under which contract the Tribes would administer the Bureau roads maintenance and construction programs; and

WHEREAS, Based upon the foregoing and the conclusion drawn that the establishment and administration of a Tribal motor vehicle registration and licensing department would be legally possible and economically feasible, it is the considered judgment of the Tribal Business Council that it would be advisable, and in the interest of the continued assertion of the inherent sovereignty of the Three Affiliated Tribes, to proceed with the establishment of such Tribal governmental instrumentality;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes, pursuant to its Constitutional power and authority, hereby authorizes and directs that the Transportation Committee of the Council, with the assistance of its duly designated representatives and the Tribal Legal Department, undertake the preliminary actions necessary to establish and maintain a Tribal motor vehicle registration and licensing department which would assume exclusive authority and jurisdiction over the registering and licensing of motor vehicles owned by enrolled members of the Three Affiliated Tribes resident on the Fort Berthold Reservation.

BE IT FURTHER RESOLVED, That such preliminary actions shall specifically include engaging in discussions with the appropriate officials and staff of the Office of the Attorney General and of the Motor Vehicle Department of the State of North Dakota.

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, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 12th day of July, 1990; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 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 12th day of July, 1990.

Julia Y. T. [Signature]
Secretary, Tribal Business Council

ATTEST:

[Signature]
Chairman, Tribal Business Council