

RESOLUTION NO. 92-115-JJR

RESOLUTION OF THE GOVERNING BODY
OF THE
THREE AFFILIATED TRIBES
OF THE
FORT BERTHOLD INDIAN RESERVATION

WHEREAS, this Nation having accepted the Indian Reorganization Act of June 18, 1934 and the authority under said Act;

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;

WHEREAS, the Three Affiliated Tribes have authority under Tribal law to regulate and protect the environment of the Fort Berthold Reservation;

WHEREAS, Congress has passed numerous laws which strengthen Tribal government regulatory authority to implement programs to protect the environment, public health and economies of Indian reservations;

WHEREAS, President Reagan and other Presidents have issued federal policies to strengthen Tribal powers of self-government and self-determination over Indian reservations;

WHEREAS, the Environmental Protection Agency ("EPA") has issued an Indian Policy Statement which recognizes EPA's trust responsibility to implement federal environmental programs in a manner which promotes Tribal self-government;

WHEREAS, the Tribal Business Council has learned that EPA Region VIII may authorize state governments to distribute multi-media funds appropriated by Congress for Tribal environmental programs;

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NOW THEREFORE BE IT RESOLVED That the Tribal Business Council authorizes the Tribal Chairman to advise the Regional Administrator of EPA Region VIII that delegation to states of EPA's funding authority regarding Tribal programs or authorizing states to act as EPA's agent in the distribution of Tribal funds violates the federal trust responsibility, federal policies supporting tribal self-government, and the government-to-government relationship between the United States and Tribal governments; and

BE IT FURTHER RESOLVED That the Tribal Chairman is authorized to request the Regional Administrator to consult with Tribal governments on a government-to-government basis regarding EPA policies and procedures for allocating and distributing funds to Tribal governments.

CERTIFICATION

I the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitutes a quorum, 6 were present at a Regular Meeting, thereof duly called, noticed, convened, and held on the 3rd day of December, 1992; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, and 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman (voting) (not voting).

Dated this 3rd day of December, 1992.

John J. Rabbithead Jr.
Secretary, Tribal Business Council

ATTEST:

William S. Walker
Chairman, Tribal Business Council