

**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; 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 benefits of the Tribes and of the enrolled members thereof; and
- WHEREAS,** Mni Sose Intertribal Water Rights Coalition was formed to exercise and protect tribal rights to the use of Missouri River water; and
- WHEREAS,** Mni Sose is a chartered organization created solely for the purpose of promoting Intertribal cooperation and assisting member tribes with the assertion, recognition and protection of their rights to water created under international, federal common law, federal treaties and statutes; and
- WHEREAS,** the 1944 Flood Control Act and 1939 Reclamation Act recognized a responsibility to provide preference power of public bodies which includes Indian tribes; and
- WHEREAS,** the Energy Policy Act of 1992 encourages and provides assistance to Indian Tribes to develop and manage power resources, including hydropower resources, within their reservations; and
- WHEREAS,** the House Interior and Insular Affairs Committee strongly supports an allocation of hydropower to meet the needs of Indian Tribes through the Western Area Power Administration's Energy Planning and Management Program (EPAM); and
- WHEREAS,** the Under Secretary of the U.S. Department of Energy in hearings before the Committee committed the Department to allocating hydropower to meet the needs of tribes through the EPAM program; and
- WHEREAS,** Western Area Power Administration is responsible for implementing the Energy Planning and Management Program; and
- WHEREAS,** the Three Affiliated Tribes of Fort Berthold resides in the Western Area Administration Marketing Area; and
- WHEREAS,** the 104th Congress has proposed to privatize Western Area Power Administration to reduce the budget deficit; now



MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

HC3 Box 2 • New Town, North Dakota 58763-9402

TRIBAL BUSINESS COUNCIL

(701) 627-4781

Fax (701) 627-3805

In Reply Refer To:

F A X

FAX TO: Austin Gillette
OFFICE: Guest of Holiday Inn/WAPA Meeting
CITY/ST: RCSD
FAX NO: 1-605-348-9212

FROM : Recording Sec.
OFFICE: Exec. Sec.
CITY/ST: NTND
PHONE : 1-701-627-4781

ADDITIONAL INFORMATION: R# 95-242-DSB, as requested.

NUMBER OF PAGES TO FOLLOW: 2

PLEASE CALL IF RE-TRANSMISSION IS NECESSARY.

THEREFORE, BE IT RESOLVED, the Three Affiliated Tribes of Fort Berthold is eligible and will participate in the Energy Planning and Management Program as described in the Energy Policy Act of 1992.

BE IT FURTHER RESOLVED, the Three Affiliated Tribes of Fort Berthold insists that the case of privatization of Western Area Power Administration that contracts with the tribe remain in effect.

BE IT FURTHER RESOLVED, the Three Affiliated Tribes of Fort Berthold insists that the tribe receives a fair share of direct allocation of energy from Western Area Power Administration as a preference customer.

BE IT FURTHER RESOLVED, the Three Affiliated Tribes of Fort Berthold insists that its status in the Energy Planning and Management Program remain in effect if Western Area Power Administration is privatized.

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

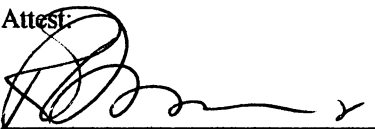
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitutes a quorum, 6 were present at a Regular Meeting, thereof duly called, noticed, convened and held on the 21st day of December 1995; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 1 members not voting and that said Resolution has not been rescinded or amended in any way.

Chairman voting (not voting)

Dated this 21st day of December 1995

Daylen Spotted Bear
Secretary, Tribal Business Council

Attest:


Chairman, Tribal Business Council