

**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; and
- WHEREAS,** The Fort Berthold Housing Authority is empowered to act on behalf of the people to improve living standards of the Fort Berthold Reservation by providing adequate housing conditions for the members of the Three Affiliated Tribes as evidenced by the 480 applicants awaiting housing, and
- WHEREAS,** On July 27, 1995, the President approved the Emergency Supplemental Appropriations and Rescissions Act, 1995 (P.L. 104-19, Statute 194.) This Act rescinded \$10,771,401.00 from the Office of Native American Programs/Housing and Urban Development who then rescinded \$231,869.00 from the Fort Berthold Housing Authority's Development Program, and
- WHEREAS,** The Fort Berthold Housing Authority accepted proposals for construction of Projects ND 5-26, ND 5-27 and ND 5-28, and these proposals came in approximately \$100,000.00 over available construction funds, and
- WHEREAS,** Tribal Employment Rights Office (TERO) is the enforcement arm of Indian Preference on the Fort Berthold Reservation, and the Fort Berthold Housing Authority does recognize and support this enforcement. Pursuant to their constitutional and federally recognized power and authority, the Three Affiliated Tribes imposes employment rights fees, and
- WHEREAS,** Because of the anticipated TERO tax in the amount of approximately \$100,000.00 at the rate of 2.5%, the Fort Berthold Housing Authority would be forced to eliminate three additional units. As a result, three families would lose their homes because ultimately the Fort Berthold Housing Authority is liable for these fees, and

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**NOW THEREFORE BE IT RESOLVED**, to attempt to meet the housing needs of Fort Berthold tribal members that the Tribal Employment Rights Office and the Three Affiliated Tribes do hereby reduce the TERO fee to .67% of the Development Projects ND 5-26, ND 5-27, and ND 5-28, of the Fort Berthold Housing Authority.

**BE IT FURTHER RESOLVED**, at the completion of the Fort Berthold Housing Authority's Development Projects, any funds not utilized will be paid toward the TERO fees not to exceed 2.5% or \$100,000.00.

**CERTIFICATION**

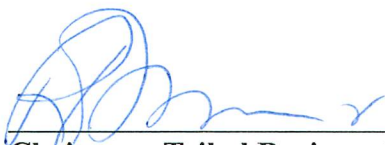
I, the undersigned, as Secretary of the Tribal Business Council of the three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting, thereof duly called, noticed, convened, and held on the 11<sup>th</sup> day of April, 1996, 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.

Chairman (voting) (not voting)

Dated this 11<sup>th</sup> day of April, 1996.

Daylon Spotted Bear  
Secretary, Tribal Business Council  
THREE AFFILIATED TRIBES

**ATTEST:**

  
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Chairman, Tribal Business Council  
THREE AFFILIATED TRIBES