

**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(a) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to present and prosecute claims of the Three Affiliated Tribes before any court or agency of government; and

WHEREAS, The Court of Appeals for the Eighth Circuit ruled on February 16, 1996 in the case of *A-1 Contractors and Lyle Stockart v. Honorable William D. Strate, Associate Tribal Judge of the Tribal Court of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, et al.*, No. 92-3359, that the Fort Berthold Tribal District Court was without jurisdiction to hear a case arising out of an automobile accident between two non-Indians on Indian lands within the Reservation; and

WHEREAS, The Tribal Business Council is concerned that the precedent in this case represents a serious and continuing threat to the exercise of Tribal self-government, in that it curtails the ability of the Three Affiliated Tribes to provide protection and relief from injury to those who reside or come within the boundaries of the Reservation; and

WHEREAS, The decision of the Court of Appeals in *A-1 Contractors and Lyle Stockart v. Honorable William D. Strate, Associate Tribal Judge of the Tribal Court of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, et al.*, No. 92-3359, should be challenged by petition for certiorari to the United States Supreme Court; and

WHEREAS, These matters have been presented to and discussed by the Tribal Business Council;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of

the Three Affiliated Tribes hereby requests that the United States support the Tribes' Petition for *Certiorari* to the Supreme Court of the United States in the case of *A-1 Contractors and Lyle Stockart v. Honorable William D. Strate, Associate Tribal Judge of the Tribal Court of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, et al.*, No. 92-3359, by filing with the Supreme Court a brief as *amicus curiae* urging that the Court accept the case for review.

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, 5 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 25th day of April, 1996; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 25th day of April, 1996.

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:



Chairman, Tribal Business Council