

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 best interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and
- WHEREAS, Article VI, Section 5(j) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to protect and preserve the property of the Tribe; and
- WHEREAS, The Office of Community Services U.S. Department of Health and Human Services has invited the Three Affiliated Tribes to submit an FY-97 Application for funding based on the availability of funds, under Public Law 97-35,
- NOW, THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes duly authorizes the execution and filing of the Community Services Block Grant FY-97 Application including all understandings and Assurances contained in the application, and has directed and authorized the Chairman of the Three Affiliated Tribes to be identified as official contact person for the Three Affiliated Tribes Community Services Block Grant Program.

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 Regular Meeting thereof duly called, noticed, convened, and held on the 12<sup>th</sup> day of September, 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vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and said Resolution has not been rescinded or amended in any way.

Dated the 12<sup>th</sup> day of September 1996.

Daylon Spotted Bear  
Secretary, Tribal Business Council

ATTEST:

Edna Hall  
Vice Chairman, Tribal Business Council

**WHEREAS,** The Office of the Prosecution may bring an action for civil penalties, including forfeiture and damages, against any person who is alleged to have engaged in an activity which is violative of this Resolution, including any person who is not subject to the criminal jurisdiction of the Three Affiliated Tribes; and

**WHEREAS,** The District Court of the Three Affiliated Tribes may consider as factors the commercial value of the medicinal herbs collected from a natural, or wild, setting (native plant flora) involved, or the cost of restoration and repair of the wild medicinal herbs; and

**WHEREAS,** The District Court of the Three Affiliated Tribes pursuant to its jurisdictional authority may exclude any person from within the boundaries of the Fort Berthold Reservation found to be in violation of this Resolution; and

**WHEREAS,** The exclusion from the exterior boundaries of the Fort Berthold Reservation shall be intended to be remedial in nature and not punitive, such relief shall also be intended to compel individuals to obey and respect the laws of the Three Affiliated Tribes; and

**NOW, THEREFORE, BE IT RESOLVED,** The Tribal Business Council of the Three Affiliated Tribes hereby adopts the traditional and cultural medicinal herbs resolution, identified as Resolution No.#96-169-DSB as amended; and

**BE IT FURTHER RESOLVED,** That the Natural Resources Department, Department of Fish and Wildlife, shall assist the Cultural Preservation Officer in developing Code provisions for the protection and preservation of the native plant flora, which shall be specifically identified, including the drafting of provisions for an application and permit process; and

**BE IT FURTHER RESOLVED,** That this Resolution shall go into effect immediately on this 12th day of September, 1996.