

**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 any claims of the Tribes before any court or agency of government; and**

**WHEREAS, the Tribal Business Council has authorized the Native American Rights Fund to seek review by the United States Supreme Court by Writ of *Certiorari* to the United States Court of Appeals for the Eighth Circuit in *Strate, Assoc. Judge, et al. v. A-1 Contractors, et al.*, No. 95-1872, and the Supreme Court granted the Writ of *Certiorari* on October 1, 1996, 518 U.S. \_\_\_\_; and**

**WHEREAS, the issues presented by *Strate, Assoc. Judge, et al. v. A-1 Contractors, et al.*, No. 95-1872 affect important and fundamental rights of Indian tribal courts to exercise jurisdiction over the activities of those who come onto Indian lands and engage in activities for which they may be held accountable in a court of law, and the jurisdiction of the Tribal Court of the Three Affiliated Tribes is being attacked by non-Indian litigants who would resist being held accountable for their activities while on Indian lands; and**

**WHEREAS, the ability of the Three Affiliated Tribes to protect their sovereign jurisdiction would be greatly enhanced by the support of the United States through the filing with the Supreme Court of the United States a brief *amicus curiae* in support of the jurisdiction of the Tribal Court of the Three Affiliated Tribes; and**

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

**NOW THEREFORE BE IT RESOLVED, That the Three Affiliated Tribes of the Fort**

Berthold Indian Reservation hereby requests that the United States file in the Supreme Court of the United States a brief *amicus curiae* in support of the jurisdiction of the Tribal Court of the Tribes over the activities of non-Indians while on Indian lands within the boundaries of the Reservation and which will reverse the decision of the Eighth Circuit Court of Appeals in *A-1 Contractors, et al. v. Strate, et al.*, 76 F.3d 930 (8th Cir. 1996).

CERTIFICATION

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; that 7 were present at a Special meeting thereof duly called, noticed, convened, and held on the 10<sup>th</sup> day of October, 1996; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 members not voting; and, that said Resolution has not been rescinded or amended in any way.

DATED this 10<sup>th</sup> day of October, 1996.

*Daylon Spotted Bear*

Secretary, Tribal Business Council

ATTEST:



Russell Mason, Chairman  
Tribal Business Council