

**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,** The Three Affiliated Tribes, which occupies almost 1,500 square miles in northwest North Dakota, need to have an adequate system of roads and highways for its growing population; and
- WHEREAS,** The Intermodal Surface Transportation Efficiency Act (ISTEA), P.L. 102-240, passed by Congress in 1991, is to be considered for renewal in 1997, and contains within it a number of features which relate to roads and highways on Indian reservations of interest to the Three Affiliated Tribes; and
- WHEREAS,** There is a need to enhance the government-to-government relationship between the United States and the Indian Nations of the United States as proclaimed by President Clinton on April 29, 1994 in an executive memorandum, including a government-to-government relationship to be established between the Federal Highway Administration and the Indian tribes; and
- WHEREAS,** At present, there is no Indian reservation roads program at the Deputy Assistant Secretary level within the U.S. Department of Transportation, which reduces the ability of Indian tribes to make their concerns about transportation on the Indian reservations known at the Federal level; and
- WHEREAS,** There is an excessive rate of accidents causing loss of property, injury and death for too many Indian people living on reservations, including the Three Affiliated Tribes, and present funding for safety problems on Indian reservation roads are inadequate to meet the need for such programs;
- WHEREAS,** The present funding levels and distribution formulas for Indian roads programs are inadequate and do not provide for the basic needs of the reservations roads programs, and are inadequate to ensure proper maintenance of reservation roads; and

**WHEREAS,** Centralization of reservation roads programs in BIA area offices prevents efficient utilization of available funds at the tribal level; and

**WHEREAS,** Transportation planning on the Indian reservations is hampered because under the present ISTEA legislation, planning funds are limited to 2% of the highway moneys available for reservation roads programs;

**NOW THEREFORE BE IT RESOLVED** and recommended by the Tribal Business Council of the Three Affiliated Tribes that the ISTEA legislation should be renewed to include establishment of a government-to-government relationship between the Federal Highway Administration and the Indian tribes, pursuant to President Clinton's executive memorandum of April 29, 1994, which will be accomplished by establishing an Indian Reservation Roads Program Office at the Deputy Assistant Secretary level within the Department of Transportation; and

**NOW THEREFORE BE IT FURTHER RESOLVED** and recommended by the Three Affiliated Tribes that the ISTEA legislation should be renewed to include additional funds for safety programs on Indian reservation roads in an amount not less than \$5,000,000, allocated directly to the tribes needing such programs; and

**NOW THEREFORE BE IT FURTHER RESOLVED** and recommended by the Three Affiliated Tribes that the ISTEA legislation should be amended to include direct funding to Indian tribes of roads programs, consistent with funding provisions for states and including adequate funds for road maintenance, repair and replacement; and

**NOW THEREFORE BE IT FURTHER RESOLVED** and recommended by the Three Affiliated Tribes that the ISTEA legislation should be renewed to include an allocation of as much funds as are necessary for transportation planning out of funds that are otherwise available; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Three Affiliated Tribes will make such efforts as are necessary to assist the United States Congress, including working with the Congressional delegation from North Dakota, to incorporate the above recommendations into the legislation renewing the Intermodal Surface Transportation Act of 1991 during the First Session of the 105th Congress.

#### 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, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 13<sup>th</sup> day of March, 1997; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 13<sup>th</sup> day of March, 1997.

Daylon Spotted Bears  
Secretary, Tribal Business Council

ATTEST:

  
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Chairman, Tribal Business Council