

**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,** Discriminatory acts against Tribal members and other Native Americans in continue to occur in North Dakota, both on and off the reservation, with regard to such things as employment, housing, credit, retail services, including the ability to cash checks, criminal prosecutions off the reservation, education and various social services, among others; and.
- WHEREAS,** When persons experience such acts of discrimination, there exists no central agency within the State of North Dakota to which such persons can turn to obtain a remedy for the discrimination they have suffered; and
- WHEREAS,** Existing agencies that investigate discrimination, such as the North Dakota Department of Labor, which investigates employment discrimination, have limited powers of enforcement, and must ultimately rely on federal agencies located mostly in Denver, Colorado to try to obtain relief; and
- WHEREAS,** The federal agencies located in Denver seldom are able to investigate thoroughly claims of discrimination in North Dakota, and are not viewed as agencies which can provide significant assistance to persons who have experienced discrimination in North Dakota; and
- WHEREAS,** Other mechanisms for enforcement of civil rights in North Dakota are also inadequate, because they require filing a lawsuit in either federal or state court, a remedy which is often too expensive for an individual who has suffered from a discriminatory act; and
- WHEREAS,** North Dakota has a fairly comprehensive human rights act, which should be able to be enforced by a state human rights commission, with local offices in various places in North Dakota, empowered to investigate complaints of discrimination and take appropriate action, which might include negotiation of settlements and where necessary, enforcement orders or filing of actions in state or federal court, as appropriate; and.
- WHEREAS,** From the standpoint of the members of the Three Affiliated Tribes, a human rights commission is essential to provide a speedy and adequate remedy to persons who suffer from acts of discrimination;

WHEREAS, The Three Affiliated Tribes is aware that both the North Dakota Advisory Committee to the U.S. Commission on Civil Rights and the Legislative Council of the North Dakota State Legislature are studying the issue of whether a human rights commission is needed in North Dakota, and are interested in receiving comments about the issue of a human rights commission from North Dakota's citizens;

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby supports the creation by the State of North Dakota of a fully staffed and funded human rights commission, empowered to investigate incidents and patterns of discrimination in this state, to take appropriate enforcement action, and to help educate North Dakotans about what constitutes discriminatory acts and their rights to have acts of discrimination investigated; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that this resolution may be provided to the interim legislative committee of the North Dakota State Legislature investigating this issue and to the North Dakota Advisory Committee to the U.S. Commission on Civil Rights, and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Chairman of the Three Affiliated Tribes or his designee is authorized to provide testimony to the above bodies investigating the need for a human rights commission in North Dakota on behalf of the Three Affiliated Tribes and all other tribal members and Tribal Business Council members are also encouraged to provide information and testimony to the above bodies.

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, 7 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 26th day of September, 1997; 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 26th day of September, 1997.

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:

RD

Chairman, Tribal Business Council