

**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 the enrolled members thereof; and

WHEREAS, Article VI, Section 3 (a) of the Constitution specifically authorizes the Tribal Business Council to assist members of the Tribes in presenting their claims or grievances before any agency of government; and

WHEREAS, The Fort Berthold Reservation is largely a farming and ranching community wherein numerous tribal members secure their livelihood from these types of operations; and

WHEREAS, The Native American Producers of the Fort Berthold Reservation have sustained huge economic losses due to the severe winter conditions that prevailed in 1996-1997; including, having undergone a drought in the spring and early summer of 1997; and

WHEREAS, The Farm Services Agency (FSA) and the United States Department of Agriculture have informed the Tribal Business Council that there are many Fort Berthold Native American Producers that are facing mortgage foreclosure proceedings thereby placing them in further economic harm and hardship; and

WHEREAS, The Tribal Business Council recognizes that the severe weather conditions, accompanying low cattle prices and reduced subsidized FSA farm land conservation program payments have contributed to the economic adversity suffered by Fort Berthold Native American Producers; and

WHEREAS, The Fort Berthold Native American Producers are in need of utilizing the proceeds from their farming and livestock sales for their continued operations; and

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WHEREAS, The Bureau of Indian Affairs (BIA) and the United States Department of the Interior have not reached a decision on how to proceed with FSA to BIA trust land mortgage transfers and accompanying foreclosure issues and options as restructuring measures for the Fort Berthold Native American Producers; and

WHEREAS, The Fort Berthold Native American Producers are in dire need of assistance to address the difficulty of dealing with two pending federal agency decisions (BIA and FSA) regarding the future of their operations to prevent the loss of trust land status and their livelihoods; and

WHEREAS, It is the considered judgment of the Tribal Business Council that the Fort Berthold Native American Producers are in need of assistance in presenting their claims and grievances before the Farm Services Agency; and

WHEREAS, There are currently twenty five Fort Berthold Native American Producers that are in, or near, FSA mortgage acceleration that could result in the alienation of 22,530 reservation trust land acres, while awaiting a decision from the BIA and FSA regarding mortgage work-out options; and

NOW, THEREFORE, BE IT RESOLVED, The Tribal Business Council of the Three Affiliated Tribes hereby requests the Farm Services Agency of the United States Department of Agriculture to grant a variance from regulations(s) to Fort Berthold Native American Producers facing foreclosure proceedings on the Fort Berthold Reservation and to place a moratorium on all pending FSA foreclosures affecting such Fort Berthold Native American Producers while appropriate federal agency decisions and options are being handled:

BE IT FURTHER RESOLVED, The Tribal Business Council of the Three Affiliated Tribes requests the variance on behalf of those Fort Berthold Native American Producers facing foreclosure proceedings in order to allow them to utilize the proceeds from their farming and livestock sales for their continued operation(s) while proposed FSA to BIA mortgage transfer issues are addressed.

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


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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 24th day of October, 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 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 24th day of October, 1997.

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:



Chairman, Tribal Business Council