



**RESOLUTION OF THE GOVERNING BODY  
OF THE THREE AFFILIATED TRIBES  
OF THE FORT BERTHOLD INDIAN RESERVATION**

***A Resolution entitled, "Establishment of a Tribal Historic Preservation Office and Appointment of a Tribal Historic Preservation Officer (THPO)."***

**WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws under said Act; and

**WHEREAS,** pursuant to Article III, Section 1 of the Constitution and By Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; and

**WHEREAS,** pursuant to Article VI, Section 5 (l) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

**WHEREAS,** the Tribal Business Council has authority according to the terms of the said Constitution to authorize application to the National Park Service for the assumption of duties of the North Dakota State Historic Preservation Office and to create a Tribal Historic Preservation Office which will assume and perform those duties on behalf of the Tribe; and

**WHEREAS,** the Tribe understands the need to protect and manage its sacred and cultural resources, including ancestral burials, for the present and future generations; and

**WHEREAS,** the Tribe recognizes its role within the Federal Archeology Program, and its rights and responsibilities under the National Historic Preservation Act, as amended, and other federal, state and Tribal laws regulating archeological and cultural resources, by developing a plan for management of these resources and the delegation of an officer on its behalf; and

**WHEREAS,** the Tribe has been actively engaged in playing a leadership role in the Upper Missouri River Basin for over twenty years in the issues of reburial, repatriation, and protection and preservation of irreplaceable sacred and cultural resources, including ancestral burial sites; and



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WHEREAS, the Tribe now desires to utilize its expertise and cultural values, beliefs and traditions in the care and management of all sacred and cultural resources associated with the Mandan, Hidatsa and Arikara Nation through the creation of a Tribal Historic Preservation Office; and

NOW THERE FOR IT BE RESOLVED, that the Tribal Historic Preservation/Native American Graves Protection and Repatriation Office will be included in the Natural Resource Department and supervised by its Director, and will report to the Natural Resource Committee and the Tribal Business Council; and

BE IT FURTHER RESOLVED that this resolution seeks the approval of the attached plan by the Secretary of the Interior and the National Park Service, and furthermore seeks funding for its role under Section 101 of the National Historic Preservation Act. By this measure, the Tribe hereby designates Pemina Yellow Bird to serve in the capacity of the Tribal Historic Preservation Officer in the assumption of duties of the State Historic Preservation Officer and in meeting operational requirements under the National Historic Preservation Act and the Native American Graves Protection and Repatriation Act.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Forth 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 8<sup>th</sup> of June, 2006; 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 that said Resolution has not been rescinded or amended in any way.

Chairman  Voting.  Not voting

Dated this 8<sup>th</sup> day of June, 2006.

Tribal Secretary, Nathan Hale  
Tribal Business Council  
Three Affiliated Tribes

ATTEST:

Tribal Chairman, Tex G. Hall  
Tribal Business Council  
Three Affiliated Tribes