



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

A Resolution Entitled: *Establishment and Appointment of the Mandan, Hidatsa and Arikara Traditional Cultural Authority*”

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 pursuant to said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes 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 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, Article VI, Section (j) of the Constitution provides that the Tribal Business Council has the authority to protect and preserve the property, wildlife and natural resources of the Tribes; and

WHEREAS, The National Historic Preservation Act (NHPA) is a federal law that authorized the creation of a national program for the identification evaluation and preservation of places that are of historical significance in the heritage of the United States

WHEREAS, Section 106 of the NHPA requires that prior to any federal or federally assisted undertaking or the issuance of a federal license, federal agencies must take into account the effect of the undertaking on any historic properties and also establishes the National Advisory Council on historic preservation ;

WHEREAS, Section 106 of the NHPA places primary responsibility for reviewing and evaluating proposed federal undertakings on individual State Historic Preservation Offices(SHPO's) ; and



WHEREAS, Section 101 (d) (2) of the Act authorizes Indian Tribes to assume the functions and responsibilities of State Historic Preservation Officers under the NHPA with respect to undertakings on tribal lands; and

WHEREAS, Pursuant to Section 102 (d) (2) of the Act the Three Affiliated Tribes has established a Tribal Historic Preservation Office and appointed a Tribal Historic Preservation Officer; and

WHEREAS , The Three Affiliated Tribes received a grant from the National Park Service and entered into a Grant Agreement with the Park Service to establish and implement the Tribes THPO

WHEREAS, Section 101(d) (2) of the Act and the implementing regulations set out in 36 CFR §61.4 as well as the Scope of Work for said Grant Agreement requires the establishment of a tribal review Board for the Tribal Historic Preservation Office with whom the Tribal Historic Preservation Officer will consult with as needed ; and

WHEREAS, individuals appointed to the Review Board must meet the Secretary of Interior's standards for the discipline that correspond to the resources under consideration; and

WHEREAS, The MHA Nation relies principally on its elders and Bundle Carriers as authorities on traditional cultural spiritual knowledge and information.

NOW, THEREFORE BE IT RESOLVED , That the Tribal Business Council pursuant to its constitutional powers and the NHPA hereby establishes the Tribal Historic Preservation Office Review Board which shall be known as the Mandan, Hidatsa and Arikara Traditional Cultural Authority; and

BE IT FURTHER RESOLVED that the following 17 elders listed on the List which is attached hereto as Attachment A and incorporated by reference into this Resolution are hereby appointed to the Mandan, Hidatsa and Arikara Traditional Cultural Authority:

BE IT FURTHER RESOLVED the MHA Traditional Cultural Authority shall exercise the responsibilities of a Review Board as set out in the NHPA and its implementing regulations;

BE IT FINALLY RESOLVED that, the Tribal Business Council hereby finds that these selected Elders meet the Secretary' standards for the discipline or disciplines that correspond to the resources under consideration.



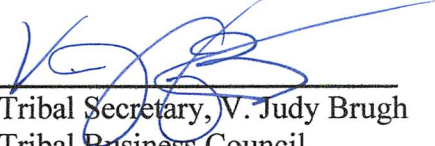
CERTIFICATION

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, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 7 day of November 2007; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

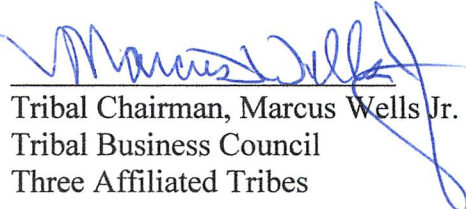
Chairman [] voting. [] not voting.

Dated this 7 day of November 2007.

ATTEST:



Tribal Secretary, V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes



Tribal Chairman, Marcus Wells Jr.
Tribal Business Council
Three Affiliated Tribes