



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

A Resolution Entitled, “*Support for S. 245 – the Indian Tribal Energy Development and Self-Determination Act Amendments of 2017*”

WHEREAS, The Mandan Hidatsa and Arikara Nation (“MHA Nation”) having accepted the Indian Reorganization Act of June 18, 1934 (“Act”), and the authority under said Act and having adopted a Constitution and By-Laws pursuant to said Act; and

WHEREAS, The MHA Nation has the inherent authority to impose taxes on economic activity within the Fort Berthold Indian Reservation, to defray the cost of providing essential governmental services, and to fund essential government services; and

WHEREAS, Article III, Section I of the Constitution of the MHA Nation provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Tribal Business Council’s responsibility includes promoting the health, security, economic, and general welfare, of both members and non-members residing or conducting business on the Fort Berthold Indian Reservation; and

WHEREAS, S. 245, a bill to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, was introduced on January 30, 2017 by Sen. Hoeven (R-ND); and

WHEREAS, Overall S. 245 seeks to address energy security and independence, reduce greenhouse gases, promote economic development and tribal energy resources by providing greater control and flexibility for tribes to develop traditional and renewable energy resources; and

WHEREAS, the Department of Energy loan guarantee program would be amended to include tribal energy development organizations, making it easier for tribes to access loans, while tribal energy development organizations would be permitted to pool resources; and

WHEREAS, Tribal Energy Resource Agreements (“TERAs”) and rights-of-ways would no longer require review and approval by the Secretary if executed in accordance with requirements set forth under the TERA, or the tribe or tribal organization obtained a certificate; and



WHEREAS, Tribal Energy Development Organizations could be certified by the Secretary if a tribe applies, the organization is organized under the laws of the tribe, the tribe has a majority interest, and the tribe has jurisdiction over the land; and

WHEREAS, S. 245 would also establish both tribal and Alaska Native biomass demonstration projects to promote biomass energy production (including biofuel, heat and electricity generation) on Indian lands and expand direct access for tribes to the Department of Energy's Weatherization Program.

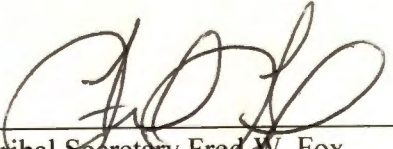
NOW, THEREFORE, BE IT RESOLVED, The Tribal Business Council of the MHA Nation, pursuant to its constitutional authority, supports the passage of S. 245 to streamline many of the burdensome bureaucratic processes, disincentives, and exclusion from federal programs that tribes have been facing in energy development.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 15th day of November, 2017, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.


Chairman Voting. Not Voting.

Dated this 15th day of November, 2017.



Tribal Secretary Fred W. Fox
Tribal Business Council
Three Affiliated Tribes

ATTEST:



Tribal Chairman, Mark N. Fox
Tribal Business Council
Three Affiliated Tribes