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

A Resolution entitled, *"Supporting Opportunity Zones Expansion Legislation for Indian Country"*

WHEREAS, The Mandan Hidatsa and Arikara Nation ("MHA Nation" also known as the Three Affiliated Tribes) 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 (or "Tribes") has the inherent authority to engage in economic activity within and outside of its sovereign territory of the Fort Berthold Indian Reservation to fund the cost of providing essential governmental services for its people; 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 Constitution of the MHA Nation 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, Despite the economic successes of the Nation and its members, the Nation's economy is heavily dependent upon economic activities subject to competition and thereby faces challenges with respect to future economic growth; and

WHEREAS, The Tribal Business Council finds that the MHA Nation's long-term economic security and future health and well-being of its people is dependent upon taking action to further diversify the Nation's economy and create new sources of governmental revenue which it has done previously by creating separate Nation-owned enterprises and companies; and

WHEREAS, The Tribal Business Council finds that additional action must be taken to further MHA Nation economic growth efforts by promoting changes in federal and state law to benefit sovereign Indian nations and Indian-owned businesses for both on and off-territory economic development;

WHEREAS, In 2017, the U.S. Congress enacted the Tax Cuts and Jobs Act of 2017, Pub. L. 115-97; which created the Opportunity Zones, a new incentive to encourage long-term investments in low-income urban and rural communities nationwide,

Opportunity Zones provide a tax incentive for investors to re-invest their unrealized capital gains into dedicated Opportunity Funds; and

WHEREAS, Through the advice of the State governor or chief executive of every U.S. state and territory there is nominated up to 25 percent of their low-income census tracts to be certified by the Secretary of the Treasury as Opportunity Zones; and

WHEREAS, The Tribal Business Council believes that, in considering the interests of the MHA Nation and the members thereof, there should be an extension added to the Opportunity Zones and amendments through legislation because Indian Country was not consulted during the designation of these low-income areas; and

NOW, THEREFORE, BE IT RESOLVED, The Tribal Business Council of the MHA Nation, pursuant to its constitutional authority, supports an Opportunity Zone legislative amendment to allow tribal governments to designate the location of Opportunity Zones within their tribal lands and other related amendments to support investment in Indian Country.
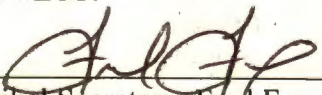
CERTIFICATION

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, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 7th day of August 2019, 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.
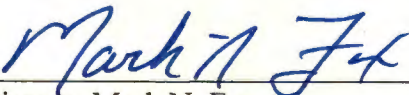
Chairman [X] Voting. [ ] Not Voting.

Dated this 7th day of August 2019.

ATTEST:

Tribal Secretary, Fred Fox
Tribal Business Council

Chairman, Mark N. Fox
Tribal Business Council