



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

**A Resolution Entitled: “Approval of Designation of the Tribes’ Service Area Under the Title IV-E Agreement with the State of North Dakota for Purposes of Foster Care Licensing.”**

**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, also known as the Mandan, Hidatsa, and Arikara Nation (“Tribes” or “MHA Nation”) 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 of the enrolled members thereof; and

**WHEREAS,** Pursuant to Article VI, Sections 5(a) and (c) of the Constitution, the Tribal Business Council has the authority to manage all economic affairs and enterprises of the Tribes and to negotiate with Federal, State and local governments on behalf of the Tribes; and

**WHEREAS,** Federal Title IV-E laws and regulations address child foster care payments and expenditures; and

**WHEREAS,** The Tribal Social Services Department has brought forth for consideration a proposed Attachment 6 to the “Intergovernmental Title IV-E Agreement between the Three Affiliated Tribes, acting through its Tribal Council and the State of North Dakota, acting through its Department of Human Services” (or “Title IV-E Agreement), an agreement which formalizes the processes by which the Tribes and the North Dakota Department of Human Services follow Federal Title IV-E law and regulations in order for the Tribes to access federal reimbursements for Title IV-E related expenditures; and

**WHEREAS,** The individual Native American tribes within the State of North Dakota are to designate a “service area” for purposes of the tribal foster care licensing provisions of the Title IV-E Agreement; and



**WHEREAS,** The Tribal Social Services Department has proposed that the aforementioned “service area” be defined as “on the Fort Berthold Reservation or as near to said Reservation as all areas within the exterior boundaries of the state of North Dakota;” and

**WHEREAS,** The Tribal Social Services Department staff has indicated to the Tribal Business Council that it believes that said Department and the Tribes are well capable of providing the necessary Tribal foster care licensing services for the “service area” indicated above; and

**WHEREAS,** The Tribal Business Council has considered the matter and finds that using the definition for “service area” as stated above is in the best interests Tribes and the enrolled members thereof, including children.

**NOW, THEREFORE, BE IT RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby approves Attachment 6 to the aforementioned Title IV-E Agreement defining the Tribes’ “service area” for Tribal foster care licensing purposes to be “on the Fort Berthold Reservation or as near to said Reservation as all areas within the exterior boundaries of the State of North Dakota;” and

**BE IT FINALLY RESOLVED,** that the Tribal Business Council authorizes the Chairman to execute such documentation and take any other action necessary to effectuate the terms and intent of this Resolution.

**CERTIFICATION**

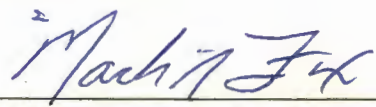
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 9<sup>th</sup> day of September, 2020, 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 9<sup>th</sup> day of September, 2020.

**ATTEST:**

  
Executive Secretary Fred Fox  
Tribal Business Council  
Three Affiliated Tribes

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

**Attachment 6**

**Tribal Service Area including “near” reservation  
(place holder)**

The MHA Nation, also known as the Three Affiliated Tribes, Tribal Council defines via Tribal Resolution No. 20-189-FWF approved on September 9, 2020, and signed by Chairperson Mark N. Fox and Secretary Fred W. Fox, the “on or near boundary” as “on the Fort Berthold Reservation or as near to said Reservation as all areas within the exterior boundaries of the State of North Dakota.”

MHA Nation Social Services will license Native American homes, as well as the home of any individual who can demonstrate a tie to the MHA Nation and who wants to be licensed through or via the Tribal entity, to increase placements on or near the Fort Berthold Reservation.