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

A Resolution Entitled, *"Creation of the Three Affiliated Tribes Cybersecurity Department and Authorization of Annual Budget"*

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, the authority under said Act, and having adopted a Constitution and By-laws (the Constitution) under said Act, and

WHEREAS, Pursuant to Article III, Section 1 of the Constitution, the Tribal Business Council is the governing body of the MHA Nation; and

WHEREAS, The Constitution 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 MHA Nation and of the enrolled members thereof; and

WHEREAS, Pursuant to Article VI, Section 5(l) of the Constitution, the Tribal Business Council has the power to adopt Resolutions regulating the procedures of the Tribal Business Council, its agencies and officials; and

WHEREAS, Article VI, Section 5(c) of the Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Nation and to make expenditures from available Tribal funds for public purposes for the Nation; and

WHEREAS, The MHA Nation experienced a cybersecurity breach in 2021; and

WHEREAS, Securing the MHA Nation's digital infrastructure and digital information is critical to the proper operation of tribal government; and

WHEREAS, The Tribal Business Council previously adopted Resolution No. 21-151-FWF establishing an Office of Cybersecurity and authorizing the hiring of an interim Director of Cybersecurity; and

WHEREAS, Creating a Department of Cybersecurity with the authority and oversight over network security issues for the MHA Nation is necessary to ensure the continued security of the MHA Nation's digital computers, networks, and digital infrastructure and information.

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council hereby establishes the Department of Cybersecurity responsible for improving and ensuring the MHA

Nation's computer network security and securing its digital infrastructure and information, and authorizes an annual budget for the Department of Cybersecurity in the amount of $1,513,000.00.

BE IT FURTHER RESOLVED, The Tribal Business Council directs the CEO and Human Resources Department to advertise, for permanent Director and Network Architect to help carry out the responsibilities of the Department as described herein.

BE IT FURTHER RESOLVED, The permanent Director, once employed, shall work with the CEO and Human Resources Department to advertise and recruit such persons as are necessary to fully staff the Department, consistent with the budget approved herein.

BE IT FURTHER RESOLVED, The Cybersecurity Director shall have oversight authority over all MHA Nation network security issues, including the authority to monitor and advise the MHA Nation's Management Information Systems Department (MIS) necessary to ensure security.

BE IT FINALLY RESOLVED, That this Resolution supersedes Resolution No. 21-151-FWF.
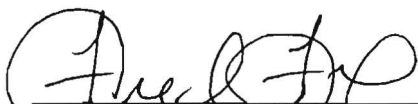
CERTIFICATION

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 20th day of January, 2022, 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 [X] Voting. [ ] Not Voting.

Dated this 20th day of January, 2022.

ATTEST:

Tribal Secretary, Fred W. Fox
Tribal Business Council

Tribal Chairman, Mark N. Fox
Tribal Business Council