



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

A Resolution Entitled: "Support for Peyote Habitat Provision in the Reauthorization of the Farm Bill."

WHEREAS, The Mandan Hidatsa and Arikara Nation, also known as the Three Affiliated Tribes ("MHA Nation" or "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(1) 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 (j) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to "protect and preserve the property, wildlife, and natural resources of the Tribe; to regulate hunting and fishing on all lands within the jurisdiction of the Tribes; and to cultivate and preserve native arts, crafts, culture, ceremonies and traditions;" and

WHEREAS, According to the Fort Berthold Native American Church Chapter (or "FBNACC"), the Peyote religion/ceremony of the Native American Church (or "NAC") has been practiced on the Fort Berthold Reservation for 100 years. The practitioners of the NAC have also been ceremonial traditional leaders; and

WHEREAS, The Tribal Business Council has been notified that there is an immediate and urgent threat to the practice of the NAC on the Fort Berthold Reservation due to Peyote habitat loss in southwestern Texas; and

WHEREAS, FBNACC, Native American Church of North America, and National Congress of American Indians are engaged in policy advocacy to address Peyote habitat loss, including advocacy for a special Peyote Habitat Conservation provision in the Farm Bill Reauthorization; and

WHEREAS, A Farm Bill provision that addresses and protects the producers of Peyote medicine in its natural habitat (Land Owners) and the consumer (NAC members) would be endorsed by FBNACC, Native American Church of North America, and National Congress of American Indians; and



WHEREAS, Supporting this effort at the request of NAC Tribal enrolled members is consistent with the Tribes' Constitution, the Indian Civil Rights Act, and the American Indian Religious Freedom Act of 1978 as Amended in 1994.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes the following after considering recommendations from Fort Berthold Native American Church Chapter members:

- 1) Authorizes and directs the Tribes' lobbyist Philip Baker-Shenk to work with the Native American Church of North America and Fort Berthold Native American Church Chapter to develop a proposed "Peyote Habitat Conservation" provision and also work with Congress and the Native Farm Bill Coalition to seek inclusion of the proposed provision in the Farm Bill Reauthorization.
- 2) Supports Peyote habitat conservation in the Tribes' recommendations for the United States Congress and the U.S. Administration's FY 2024 budget recommendations.
- 3) Supports Tribal consultation as a part of Congressional oversight and the U.S. Administration's review of the American Indian Religious Freedom Act and policies that are affecting the Native American Church; and

BE IT FINALLY RESOLVED, that the Chairman is hereby authorized to execute such documents, pursuant to legal review, and take such further actions as are necessary to carry out the terms and intent of this Resolution.

<SIGNATURE PAGE TO FOLLOW>




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 8th day of February, 2023, 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 [] Voting. [X] Not Voting.

Dated this 8th day of February, 2023.

ATTEST:


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


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