



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

A Resolution Entitled, “Requesting the Secretaries of the Interior and Army to Enter into an Agreement Declaring Original Lands Near the Missouri River to be Held in Trust for the MHA Nation”

- 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,** Under Article IX of the Constitution, the Tribal Business Council has authority to manage or deal with tribal lands and is empowered to acquire lands or interests in land on behalf of the Tribe; and
- WHEREAS,** Certain lands which were part of the MHA Nation’s original lands within the exterior boundaries of the Fort Berthold Indian Reservation, described in Attachment A, were taken by the federal government under the 1949 Takings Act, Pub. L. No. 437, 63 Stat. 1026, 1047 (Oct. 29, 1949) for construction of the Garrison Dam project; and
- WHEREAS,** The MHA Nation previously approved Resolution 23-023-FWF and 23-242-FWF (Requesting the Recreation Lands Around Lake Sakakawea to be Held in Trust for the MHA Nation) and Resolutions 23-358-FWF and 24-019-FWF (Requesting the Original Lands near the Missouri River to be held in Trust for the MHA Nation); and
- WHEREAS,** The United States Army Corp of Engineer’s has requested the above-mentioned Resolutions be combined into one resolution; and
- WHEREAS,** Section 206 (b) of the Fort Berthold Mineral Restoration Act, Pub. L. No. 98-602, 98 Stat. 3152, 3153 (Oct. 30, 1984) (FBMRA), authorizes the Secretary of the Army and the Secretary of the Interior to enter into agreements to declare taken lands within the exterior boundaries of the Fort Berthold Reservation to be held in



trust for the MHA Nation when such lands are no longer needed for the “construction, maintenance, or operation of the Garrison Dam and Reservoir Project”; and

WHEREAS, The MHA Nation finds the lands identified above should be returned to the Secretary of Interior in trust for the MHA Nation under the FBMRA because these lands are part of the MHA Nation's original ancestral lands, are within the exterior boundaries of the Fort Berthold Indian Reservation, and are no longer needed for the construction, maintenance, or operation of the Garrison Dam project; and

WHEREAS, Returning these lands to the MHA Nation in trust status will facilitate tribal management and control of these valuable ancestral lands near the Missouri River; and

WHEREAS, The MHA Nation believes the Secretaries of the Interior and the Army should declare all 3,704.72 acres of land shown in Attachment A in trust for the MHA Nation pursuant to their authority under FBMRA.

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council hereby requests the Secretary of the Interior enter into an agreement with the Secretary of the Army to declare all those lands described in Attachment A in trust for the benefit of the MHA Nation.

BE IT FURTHER RESOLVED, That this Resolution supersedes previously approved Resolution Nos. 23-023-FWF, 23-242-FWF, 23-358-FWF and 24-019-FWF.

BE IT FINALLY RESOLVED, The Chairman of the Tribal Business Council is authorized to execute such documents and take such actions as are necessary to carry out the terms and intent of this Resolution.

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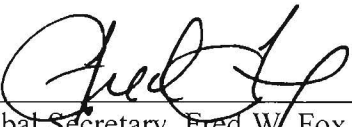
CERTIFICATION

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 7th day of May, 2024, 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.

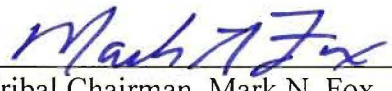
Chairman [] Voting. [X] Not Voting.

Dated this 7th day of May, 2024.

ATTEST:



Tribal Secretary, Fred W. Fox
Tribal Business Council



Tribal Chairman, Mark N. Fox
Tribal Business Council