



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

A Resolution entitled, "Authorization to Complete and Submit a Fee to Trust Application/or Allotment 301-568A-Tribal Share."

- WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and
- WHEREAS,** Pursuant to Article III, Section 1 of the Constitution and By-Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; and
- WHEREAS,** The Constitution of the Three Affiliated Tribes (or "Tribes") authorizes and empowers the Three Affiliated Tribes' Tribal Business Council to engage in activity on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and
- WHEREAS,** The Tribal Business Council finds that it is in the best interest of the Three Affiliated Tribes to have certain Tribal share fee patent land be placed into trust with the United States for the use and benefit of the Three Affiliated Tribes and its members; and
- WHEREAS,** The Three Affiliated Tribes owns a share of certain fee land in McKenzie County which is within the boundaries of the Fort Berthold Indian Reservation, said land more fully described as follows:
- Allotment Number 301-568A, W½, Section 20, Township 152 North of Range 94 West, McKenzie County of the 5th P.M. of North Dakota**
- WHEREAS,** The Indian Reorganization Act, 25 U.S.C. § 465 authorizes the Secretary of the Interior to acquire into trust any interest in lands within or without the existing boundaries of the Reservation; and
- WHEREAS,** 25 CFR § 151.3 provides that land not held in trust or restricted status may be acquired for a tribe when such acquisition is authorized by an act of Congress and approved by the Secretary of the Interior;
- WHEREAS,** 25 CFR § 151.3 (a)(1) and (2) further provide that the land may be acquired for a tribe in trust status when the property is located within the exterior boundaries of the tribe's Reservation or adjacent thereto and when the tribe already owns an interest in the land; and



WHEREAS, 25 CFR § 151.9 provides that an Indian tribe desiring to acquire land in trust status shall file a written request for approval of such acquisition with the Secretary which identifies the parties, a description of the land, and other information which would show that the acquisition comes within the terms of Part 151.3; and

WHEREAS, The Tribal Business Council believes that the requirements of 25 CFR Part 151.3 are met in that the property proposed to be acquired is within the boundaries of the Fort Berthold Indian Reservation, the Tribe owns an interest in the land, and the acquisition is necessary to further Tribal self-determination; and

WHEREAS, the Tribal Business Council has determined that it is in the best interest of the Tribes to request the property described herein be acquired by the Secretary in trust status.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes a complete application to be submitted to the Bureau of Indian Affairs, pursuant to Title 25 of the Code of Federal Regulations, Part 151 (On-Reservation Acquisition) and pursuant to 25 USC section 465 to place into trust with the United States the land described as follows; and

Allotment Number 301-568A, W½, Section 20, Township 152 North of Range 94 West, McKenzie County of the 5th P.M. of North Dakota

BE IT FURTHER RESOLVED that pursuant to 25 USC § 465 and 25 CFR Part 151 the Tribal Business Council hereby requests that the Secretary of the Interior acquire the above-described land into trust status on behalf of the Three Affiliated Tribes; and

BE IT FURTHER RESOLVED that the Tribal Business Council also authorizes the transfer of title to the land described above to the United States Department of Interior to be held in trust for the benefit of the Three Affiliated Tribes, and requests that the Department of the Interior perform its trust responsibility and expedite the process to place the land described above in trust status with the United States; and

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby authorizes the Chairman or his designee to discuss this application to put land into trust with the local jurisdictions and, subject to the approval of the Tribal Business Council to work out any agreements with local jurisdictions as may be necessary to gain approval from the United States to place the land into trust status; and

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby authorizes the Tribal Chairman to carry out the specific terms and provisions as reviewed and approved by the Tribal Business Council through this Resolution; and



BE IT FINALLY RESOLVED that the Tribal Business Council hereby authorizes the Tribal Chairman to take such further actions as are necessary to carry out 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 Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 8th day of March, 2023; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 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 March, 2023.

ATTEST:

Handwritten signature of Fred Fox in blue ink.

Executive Secretary, Fred Fox
Tribal Business Council
Three Affiliated Tribes

Handwritten signature of Mark N. Fox in blue ink.

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