



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

***A Resolution Entitled, “2023 Native American Agriculture Fund Application For
Development Of A Three Affiliated Tribes Agriculture Department”***

WHEREAS, The Mandan Hidatsa and Arikara Nation (the “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 Tribes; and

WHEREAS, Article IX, Sections 1 and 3 of the Constitution, provides that the Tribal Business Council has the authority to manage and lease or otherwise deal with tribal lands and resources; 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, Agriculture is an important part of the Tribe’s economy; and

WHEREAS, A need exists for an MHA Nation Agriculture Department to help farmers and ranchers on the Fort Berthold Indian Reservation and to develop and expand markets for agricultural products; and

WHEREAS, The Native American Agriculture Fund (NAAF) is a private charitable trust created from the *Keepseagle* litigation settlement to serve native farmers and ranchers; and

WHEREAS, The NAAF’s mission is to make grants to tribal farmers, ranchers, and governments for business assistance, agricultural education, technical support, and advocacy services; and

WHEREAS, The NAAF 2023 Request for Applications (RFA) allows tribal governments to apply and compete for grants in the category of Special Focus for Tribal Departments of Agriculture; and

WHEREAS, The NAAF funding opportunity does not require a match or cost share of the total project costs; and



WHEREAS, The RFA requires successful applications to provide a limited waiver of sovereign immunity for the duration of the expenditure of NAAF funds; and

WHEREAS, The Tribe intends to submit an application requesting funds in the amount of \$100,000 for total project costs.

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council authorizes the Chairman to submit all necessary documentation in accordance with the RFA requesting a grant in the amount of \$100,000. to establish a Department of Agriculture.

BE IT FURTHER RESOLVED, That the Tribal Business Council approves of a Limited Waiver of Sovereign Immunity, subject to legal review, in the event the MHA Nation’s application is selected for funding.

BE IT FINALLY RESOLVED, the Tribal Chairman is hereby authorized to take such further action as are deemed 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 Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 17th day of May, 2023, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 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 17th day of May, 2023

Tribal Secretary, Fred Fox
Tribal Business Council
Three Affiliated Tribes

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