



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

A Resolution Entitled: “MHA Drone: Planning and Protocol Development Use Case.”

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-Laws pursuant to said Act; and

WHEREAS, The Constitution of the Three Affiliated Tribes, also Known as the Mandan Hidatsa Arikara Nation (“Tribes” or “MHA Nation”), generally 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 Tribes and of the enrolled members thereof; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, Article VI, Section 5(l) of the Constitution of the Three Affiliated Tribes provides the Tribal Business Council authority to adopt resolutions regulating the procedure of the Tribal Council and other Tribal Agencies and Tribal Officials of the Reservation; and

WHEREAS, The Three Affiliated Tribes of the Fort Berthold Reservation has been awarded a Strengthening Mobility and Revolutionizing Transportation (“SMART”) grant FY22N1P1G3, for the Project entitled “MHA Drone Project: Planning and Protocol Development,” from the United States Department of Transportation (“US DOT”), to explore Unmanned Aerial System (“UAS”) technology in furtherance of delivering lifesaving medical supplies and other beneficial health materials to members of this Nation between New Town and Twin Buttes on the Fort Berthold Reservation; and

WHEREAS, The MHA Project Team supporting this use case includes Nueta, Hidatsa, Sahnish (NHS) College, the University of North Dakota, the Northern Plains UAS Test Site, Airspace Link, and Thales; and

WHEREAS, A MHA advisory board to guide activities and engage Tribal stakeholders and Tribal elders in planning and protocol development has been assembled for the Project; and



WHEREAS, The MHA Project Team respectfully requests Geographic Information System (“GIS”) data from the Tribes for the successful implementation of the SMART grant to solely plan prospective flightpaths, launch and landing zones, ground-based risks and routing analysis; and

WHEREAS, The request for this GIS data is also to protect and eliminate operations in certain areas, including but not limited to, areas of cultural significance, sacred sites, etc.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes approves the provision of Three Affiliated Tribes GIS data to the MHA Project Team as necessary to the successful operation of the aforementioned SMART grant and for use in planning flight operations, conducting flight operations, and authoring the final grant report for the above referenced purposes; and

BE IT FURTHER RESOLVED, that the GIS data provided to the MHA Project Team be given with set back limits as required by the Three Affiliated Tribes around sensitive cultural areas to obscure the exact location of sites of significant importance to the Tribes; and

BE IT FURTHER RESOLVED, that no personally identifying information (PII) of any members of the Tribes will be shared via this data request; and

BE IT FINALLY RESOLVED, that all GIS data provided to the MHA Project Team and all partners for use in the Project remains the sole property of the Tribes and will remain confidential and not available for use for any other purpose than that specified above. Specifics on data management may be found in the data management plan for the Project which has been approved by the Tribes and US DOT for the grant.

<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 7th day of May, 2024, 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 7th day of May, 2024.

ATTEST:


Executive Secretary Fred Fox
Tribal Business Council
Three Affiliated Tribes


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