



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

**Resolution Entitled, “Approval of Professional Services Agreement – Ben Nighthorse  
Consultants in Cooperation with Atcitty and Van Norman Law.”**

- WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18<sup>th</sup>, 1934, and the authority under said Act and having adopted a Constitution and By-laws pursuant to said Act; and
- WHEREAS,** The Constitution and By-laws of the Three Affiliated Tribes was adopted by membership of the Tribes on May 15<sup>th</sup>, 1936 pursuant to the Indian Reorganization Act of 1934 and duly approved by the Secretary of Interior; 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,** The Constitution of the Three Affiliated Tribes 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,** Atcitty and Van Norman Law, is a firm experienced in Indian law and policy, Indian sovereignty, natural resources development, and taxation; and
- WHEREAS,** MHA Nation desires to pursue legislation to address the Supreme Court’s decision in *Cotton Petroleum* (1989); and
- WHEREAS,** MHA Nation approved a contract with Atcitty and Van Norman Law that contemplates a cooperative working relationship on behalf of the MHA Nation and the issues referenced in the Atcitty and Van Norman Law contract with Senator Ben Nighthorse Campbell (Ben Nighthorse Consultants) and Nighthorse Consultants need a contract with MHA Nation to represent the Nation in meetings before Congress, under the direction of the Tribal Council and in cooperation with Atcitty and Van Norman Law; and
- WHEREAS,** Atcitty and Van Norman Law will associate with Nighthorse Consultants in this representation of the MHA Nation; and
- WHEREAS,** Nighthorse Consultants, Senator Ben Nighthorse Campbell and his Vice President and former Chief of Staff, Dave Devendorf, will work at the direction of the MHA Nation Council in cooperation with Atcitty and Van Norman Law within



the same overall budget as Atcitty and Van Norman Law and will coordinate its billings with Atcitty and Van Norman Law to stay within the overall budget.

**NOW THEREFORE BE IT RESOLVED**, that the Tribal Business Council does hereby approve the Ben Nighthorse Consultants Agreement to work in cooperation with Atcitty and Van Norman Law and will coordinate its billings with, and stay within the overall budget for, Atcitty and Van Norman Law in providing Indian policy and legislative services; and

**BE IT FURTHER RESOLVED**, the attached Ben Nighthorse Consultants Agreement shall begin on May 1, 2017 and continue through September 30, 2017 and shall be entitled to the compensation under the Professional Services Agreement (attached) for services provided for MHA Nation in cooperation with Atcitty and Van Norman Law, provided such billings shall fall within the budget established for the Atcitty and Van Norman Law contract, for representation in regard to tax and other legislative issues; and

**BE IT FINALLY RESOLVED**, The Tribal Chairman is authorized to execute all necessary documents with regard to the Agreement with Ben Nighthorse Consultants to implement this agreement.

**(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 11<sup>th</sup> day of May, 2017, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 1 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 11<sup>th</sup> day of May, 2017.

**ATTEST:**

Tribal Secretary, Fred W. Fox  
Tribal Business Council

Tribal Chairman, Mark N. Fox  
Tribal Business Council