



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

**A Resolution Entitled, *“Approval of Settlement Agreement With The Indian Health Service  
Regarding Contract Support Claims”***

- 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,** Pursuant to Article VI, Section 5(1) of the Constitution, the Tribal Business Council has the power to adopt Resolutions regulating the procedures of the Tribal Business Council, its agencies and officials; and
- WHEREAS,** The Tribe submitted contract claims to the Indian Health Service (“IHS”) regarding their failure to pay contract support costs in fiscal years 1995 through 2000, 2006, and 2008 through 2013; and
- WHEREAS,** After denial of the aforementioned claims the Tribe filed an appeal to the Civilian Board of Contract Appeals; and
- WHEREAS,** IHS has proposed a Settlement Agreement, attached hereto, for the foregoing claims which provides a payment of \$2,461,309 plus interest as calculated under the Contract Disputes Act; and
- WHEREAS,** The Tribal Business Council finds that the proposed Settlement Agreement is acceptable.
- NOW THEREFORE BE IT RESOLVED,** The Three Affiliated Tribes approves the Settlement Agreement and authorizes the Tribal Chairman to execute the Settlement Agreement.



**BE IT FINALLY RESOLVED**, That the Tribal Chairman is authorized to execute such additional documents and take such action as is necessary to carry out the terms and intent of this Resolution.

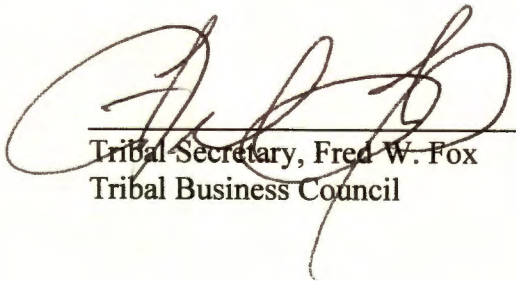
**CERTIFICATION**

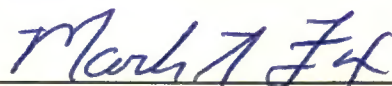
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 5 were present at a Special Meeting thereof duly called, noticed, convened and held on the 2<sup>nd</sup> day of October, 2020, 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 [ X ] Voting. [ ] Not Voting.

Dated this 22<sup>nd</sup> day of October, 2020.

**ATTEST:**

  
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Tribal Secretary, Fred W. Fox  
Tribal Business Council

  
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Tribal Chairman, Mark N. Fox  
Tribal Business Council