



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

**A Resolution entitled, “Approval of Contract by White Shield/East Segment with Pendleton Woolen Mills, Inc., for 250 Custom Manufactured Blankets with depiction of the Arikara War Horse for a total cost of approximately \$39,300.00, and Dispute Resolution and Limited Waiver of Sovereign Immunity Contained therein.”**

**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 under said Act; and

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

**WHEREAS,** Article VI, Section 5(l) of the Constitution provides that the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Business Council, its agencies and officials; and

**WHEREAS,** Article III of the Constitution provides that the Tribal Business Council is the governing body of the MHA Nation and retains the sole authority to offer limited waivers of sovereign immunity on behalf of the MHA Nation and its subdivisions; and

**WHEREAS,** The White Shield/East Segment desires to honor the Arikara War Horse for its historic return to the Tribes after the Battle of the Little Big Horn; and

**WHEREAS,** The White Shield/East Segment has negotiated terms with Pendleton Woolen Mills, Inc., of Portland, Oregon, a well-established and highly regarded manufacturer of custom wool products, for the manufacture of 250 custom blankets depicting the Arikara War Horse, those terms being a setup fee of \$1,800.00 and manufacture of 250 blankets at a cost of \$150.00 each, for a total of \$39,300.00; and

**WHEREAS,** The White Shield/East Segment has reduced the agreement to writing in the *Pendleton Woolen Mills Custom Manufacturing Agreement*, in form as attached hereto, which agreement contains a limited waiver of the Tribes’ and Segment’s sovereign immunity (only to the extent of the commercial value of the contract) as well as certain alternative dispute resolution provisions providing for mediation and arbitration, and enforcement in MHA Fort Berthold District Court; and





**WHEREAS,** In order to give effect to the Tribes' and East Segment's dispute resolution and limited waiver provisions as stated in the attached Agreement, the approval of the Tribal Business Council is required.

**NOW, THEREFORE, BE IT RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes and approves the *Pendleton Woolen Mills Custom Manufacturing Agreement*, in form as attached hereto, by and between the Tribes and White Shield/East Segment and Pendleton Woolen Mills, Inc. for custom manufacture of 250 blankets depicting the Arikara War Horse, and specifically the dispute resolution and limited waiver of sovereign immunity provisions stated therein; and

**BE IT FINALLY RESOLVED,** that the White Shield/East Segment Representative is hereby authorized to execute the Agreement, and further authorizes the payment of Pendleton invoices for the work product in accordance with the terms of the Agreement.

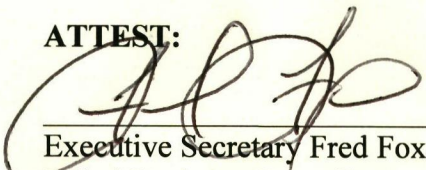
**CERTIFICATION**

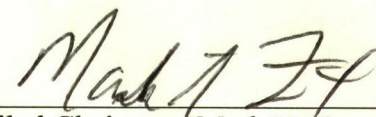
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 8<sup>th</sup> day of April, 2021, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 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 8<sup>th</sup> day of April, 2021.

**ATTEST:**

  
Executive Secretary Fred Fox  
Tribal Business Council  
Three Affiliated Tribes

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