



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

**A Resolution Entitled, “*Approving and Adopting an Amendment to Section 12-2-5 of the
Election Ordinance of the Three Affiliated Tribes.*”**

WHEREAS, The Mandan Hidatsa Arikara Nation, also known as the Three Affiliated Tribes (“MHA Nation” or “Tribe”), 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, Article IV of the Constitution sets forth the minimum requirements for Tribal Business Council elections; and

WHEREAS, Pursuant to such authority, the Tribal Business Council enacted Title XII of the Tribal Code of the Three Affiliated Tribes (the “Election Ordinance”) on May 7, 2026; and

WHEREAS, The Tribal Business Council has determined that it is in the best interest of the Tribe to adopt an amendment to Section 12-5-5 of the Election Ordinance to clarify the appointment and makeup of the Tribal Business Council Certification Board.

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby amends Section 12-2-5, Title XII of the Tribal Code of the Three Affiliated Tribes to now read as follows:

“Section 12-2-5. Tribal Business Council Certification Board.

At least thirty (30) calendar days before the date on which the Primary Election is to be held, the Tribal Business Council shall appoint a Tribal Business Council Certification Board comprised of up to three (3) Tribal Business Council members



whose terms are not due to expire in the election at issue, which shall certify the results of the election only in the event that the Tribal Election Board fails to do so, as provided in this Election Ordinance. In the event of conflict and there are less than three (3) Tribal Business Council members eligible to serve on the Certification Board, the Tribal Business Council may appoint less than three (3) Tribal Business Council members to the Board. In such event, the Tribal Business Council may also, but need not, appoint a Tribal member or members who is/are Tribal elder(s) to fill the remaining seats on the Certification Board. In the event that there are no Tribal Business Council members eligible to serve on the Certification Board, the Tribal Business Council shall appoint at least one, but up to three (3), Tribal elder(s) to serve as the Certification Board. The Certification Board must, at all times, be comprised of at least one person. The decisions of such Board shall be determined by majority vote.”

BE IT FURTHER RESOLVED, That this amendment to the Tribal Code shall become effective immediately.

BE IT FINALLY RESOLVED, That based on emergency circumstances, the formal provisions for amending Tribal Code, including readings and public comment period, are waived by the Tribal Business Council pursuant to section 1-4-6.10 of the Tribal Code.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 8th day of July 2026; 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 8th day of July 2026.

ATTEST:

Tribal Secretary, Fred Fox
Tribal Business Council
Three Affiliated Tribes

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