



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

**A Resolution Entitled:** *“Three Affiliated Tribes Tribal Business Council Affirmative Election Pursuant to the Adam Walsh Child Protection and Safety Act of 2006 (P.L. 109-248) to Function as a Registration Jurisdiction ”*

**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,** 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,** Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

**WHEREAS,** Article VI, Section 5(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to negotiate with the federal government on behalf of the Tribes; and

**WHEREAS,** In 2006 the United States Congress enacted into law Public Law 109-248, the Adam Walsh Child Protection and Safety Act, also entitled the Sex Offender Registration and Notification Act (SORNA) which comprehensively revises the national standards for sex offender registration and notification; and

**WHEREAS,** Prior to adoption of the SORNA, federal laws governing sex offender registration provided national standards for state sex offender registration programs, however there were no comparable provisions concerning sex offenders who are convicted in tribal courts or who enter the jurisdiction of Indian tribes following conviction in other jurisdictions and as a result there has been a lack of a consistent means for tribal authorities to be notified about sex offenders entering their jurisdictions, to track those offenders, or to make information about those offenders available to



members of tribal communities for the protection of themselves and their families; and

**WHEREAS,** The SORNA filled this gap by allowing Indian Tribes to participate in the national system of sex offender registration and notification programs by electing to function as a registration jurisdiction for tribes in non-Public Law 280 states; and

**WHEREAS,** Non-Public Law 280 Tribes who elect not to act as a registration jurisdiction can elect to delegate registration and notification functions to the state within which their jurisdiction lies provided that when a tribe delegates authority to a state the law grants the state a right of access to the Tribe's jurisdiction to implement SORNA on the Reservation; and

**WHEREAS,** Tribes who elect to operate as registration jurisdictions have until July 27<sup>th</sup>, 2009 to be in full compliance with SORNA; and

**WHEREAS,** Tribes have until July 27<sup>th</sup>, 2007 to adopt a resolution making an affirmative election to function as a registration jurisdiction and failure to so elect by this deadline will result in the registration function being automatically delegated to the state; and

**WHEREAS,** The Tribal Business Council finds that in order to protect the sovereignty of the Three Affiliated Tribes and to ensure the safety and protection of children on the Reservation, the Tribe should affirmatively elect to act as a registration jurisdiction under SORNA.

**NOW, THEREFORE BE IT RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes pursuant to its constitutional authority and pursuant to the Sex Offender Registration and Notification Act of 2006 hereby affirmatively elects to act as a registration jurisdiction and notifies the Attorney General of the United States of said election; and

**BE IT FURTHER RESOLVED,** that the Tribes election pursuant to this Resolution shall be forwarded to the SMART Office, Office of Justice Programs, U.S. Department of Justice on or by July 27<sup>th</sup>, 2007; and

**BE IT FINALLY RESOLVED,** that in order to fulfill the Tribes responsibility under SORNA, the Tribal Business Council hereby authorizes the Tribal Chairman to negotiate and enter into cooperative agreements with the any federal or state agency.




**CERTIFICATION**

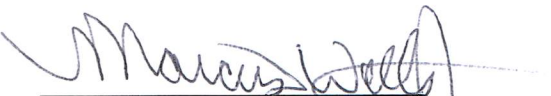
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 14 day of June 2007; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 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  voting. [ ] not voting.

Dated this 14 day of June 2007.

**ATTEST:**

  
Tribal Secretary, V. Judy Brugh  
Tribal Business Council  
Three Affiliated Tribes

  
Tribal Chairman, Marcus Wells Jr.  
Tribal Business Council  
Three Affiliated Tribes

