



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

**A Resolution entitled, “*Intertribal Sex Offender Registration and Management Action Committee Memorandum of Agreement*”**

**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,** Pursuant to Article III, Section 1 of the Constitution and By Laws of the Three Affiliated Tribes, 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,** pursuant to Article VI, Section 5 (l) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

**WHEREAS,** Article VI, Section 5 (d) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to negotiate with Federal, State and local governments on behalf of the Tribe and to advise and consult with representatives of the interior Department on all activities that may affect the Fort Berthold Reservation; and

**WHEREAS,** The increase in sexual offenses in the United States and Indian Country by repeat sexual offenders has prompted the United States Congress and the States to enact sex offenders registration and notification laws with stricter criminal penalties for violations: and

**WHEREAS,** In 2006 the United States Congress enacted into law Public Law 109-248, the Adam Walsh Child Protection and Safety Act, also enacted 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 offenders 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



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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 Tribal Business Council pursuant to its constitutional authority and pursuant to the Sex Offender Registration and Notification Act of 2006 affirmatively elected to act as a registration jurisdiction on June 14, 2007 pursuant to TAT Resolution No 07-107-VJB; and

**WHEREAS,** In furtherance of the above state resolution, the Three Affiliated Tribes Tribal Business Council has identified a need to establish and participate in the Intertribal Sex Offender Registration and Management Action Committee (hereinafter "ISORMAC") which shall, in accordance with the established Intertribal Memorandum of Agreement, develop policies, procedures and protocols in furtherance of necessary collaborative efforts to effectively track, monitor and manage sex offender populations within respective tribal jurisdictions; and

**WHEREAS,** All the Tribes in North Dakota, to-wit: the Standing Rock Sioux Tribe, the Spirit Lake Nation, the Turtle Mountain Band of Chippewa Indians and the Sisseton-Wahpeton Oyate have agreed to participate in the ISORMAC; and

**NOW THERE FOR IT BE RESOLVED,** that the Three Affiliated Tribes Tribal Business Council hereby formally approves the ISORMAC Intertribal Memorandum of Agreement and in doing so agrees to be a signatory to the same; and

**FINALLY, BE IT RESOLVED,** that the Three Affiliated Tribes Tribal Business Council hereby appoints the Three Affiliated Tribes Sex Offender Registry Director to serve as the tribal representative on the ISORMAC and appoints the Three Affiliated Tribes Sex Offender Registry Compliance Officer to serve on the ISORMAC as an alternative representative of the Tribe. Such appointments shall not be term limited.

(SIGNATURE PAGE TO FOLLOW)



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**CERTIFICATION**

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Forth 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 11<sup>th</sup> day of August, 2016 ; 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 11<sup>th</sup> day of August, 2016.

**ATTEST:**

Handwritten signature of L. Kenneth Hall in cursive script.

Secretary, L. Kenneth Hall  
Tribal Business Council  
Three Affiliated Tribes

Handwritten signature of Mark N. Fox in cursive script.

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