



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

A Resolution Entitled, “*New Hire Reporting for Child Support services*”

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, The Constitution of the Three Affiliated 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 Tribes and of the enrolled members thereof; 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, Article IV, Section 5(l) of the Constitution of the Three Affiliated Tribes provides the Tribal Business Council authority to adopt resolutions regulating the procedure of the Tribal Council and other Tribal Agencies and Tribal Officials of the Reservation; and

WHEREAS, The Tribal Business Council recognizes that our children are our most precious resource, they are the future; and

WHEREAS, One of the fundamental components of tribal sovereignty is the ability of our Tribe to develop laws that meet the needs of our children in ways that are not only effective, but which are appropriate to and respectful of the traditional values of our people.

THEREFORE BE IT RESOLVED, that there be hereby enacted a “NEW HIRE LAW” which shall require all Employers within the boundaries of the Fort Berthold Indian Reservation; and additionally all Income Payers of independent contractors to file a “NEW HIRE REPORT” with the Three Affiliated Tribes Division of Child Support Enforcement, hereinafter (TAT DCSE); and

BE IT FURTHER RESOLVED, that the following provisions, be hereby enacted, in compliance with the “New Hire Law”

All Employers must file a “NEW HIRE REPORT” with the TAT DCSE within twenty (20) days after the date of hire. The "date of hire" is the day an individual first performs services for



wages. TAT DCSE will match New Hire Reports against their child support records to locate parents, establish child support orders, or enforce existing orders.

For purposes of this law, a "Newly Hired Employee" is defined as (i) an employee who has not previously been employed by the employer; or (ii) was previously employed by the employer but has been separated from such prior employment for at least 60 consecutive days. Additionally any income payer, as defined under Tribal Code 5-25-2 subsection 2 (n.) is required to report the hiring of independent contractors.

Federal law states that an "employer" for New Hire reporting purposes is the same as for federal income tax purposes (as defined by Section 3401(d) of the Internal Revenue Code of 1986) and includes any governmental entity or labor organization. At a minimum, in any case where an employer is required to have an employee or independent contractor complete a W-2; W-4 form, or 1099 form; the employer must meet the New Hire reporting requirements.

Reports must be made either by forwarding a copy of the Federal W-4 form or, at the employer's option, an equivalent form developed to provide the following necessary information contained in the W-4.

- Employee name, address, Social Security number (SSN) and date of hire (the date an employee first performs services for pay)
- Employer name, address and Federal Employer Identification number (FEIN)

New Hire reports should be sent by first class mail to the TAT DCSE, 22 Minne Tohe Drive, New Town, ND 58763, by fax to (701) 627-3963, or by email to childsupport@mhanation.com.

BE IT FINALLY RESOLVED THAT, employers who fail to comply with the provisions of the "NEW HIRE LAW" shall be subject to sanctions, which may include suspension of TERO licenses, and prohibition from doing business within the Fort Berthold Indian Reservation.



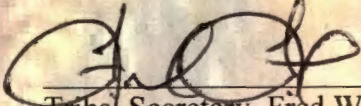
CERTIFICATION

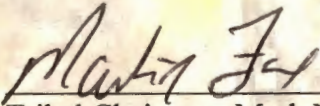
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Special Meeting thereof duly called, noticed, convened and held on the 29th day of August, 2017, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 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 29th day of August, 2017.

ATTEST:


Tribal Secretary, Fred W. Fox
Tribal Business Council
Three Affiliated Tribes


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

