



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

**A Resolution Entitled, *“Approval of the 2022 Amended Gaming Compact between the Three Affiliated Tribes and the State of North Dakota”***

- WHEREAS,** The Mandan Hidatsa and Arikara Nation (MHA Nation), also known as the Three Affiliated Tribes, 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(l) 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,** The MHA Nation previously entered into and approved a Gaming Compact with the State of North Dakota to conduct Class III gaming on the Fort Berthold Reservation pursuant to the Indian Gaming Regulatory Act, 25 U.S.C. §§ 2710 et seq.; and
- WHEREAS,** Pursuant to Resolution No. 12-142-VJB the Tribal Business Council approved an Amended Gaming Compact negotiated by the MHA Nation and the State that was subsequently approved by the Secretary of the Interior in 2013; and
- WHEREAS,** The Tribe has again negotiated amendments to its Gaming Compact with the State of North Dakota, acting through its Governor, Doug Burgum, in accordance with the requirements of 25 U.S.C. § 2710; and
- WHEREAS,** Pursuant to the Indian Gaming Regulatory Act, 25 U.S.C. § 2710, the Tribe desires to have the Amended Gaming Compact approved by the Secretary of the Interior at the earliest opportunity following full execution of the Compact; and
- WHEREAS,** Nothing in the Amended Gaming Compact contravenes any of the requirements for tribal-state gaming compacts contained within 25 U.S.C. § 2710.



**NOW THEREFORE BE IT RESOLVED**, The Tribal Business Council hereby approves and authorizes the Chairman of the Tribal Business Council to execute the Amended Gaming Compact attached hereto.

**BE IT FURTHER RESOLVED**, That the Chairman is authorized to approve non-material changes and corrections to the Amended Gaming Compact, subject to legal review, prior to execution.

**BE IT FINALLY RESOLVED**, That the Chairman of the Tribal Business Council is authorized to deliver such executed Amended Gaming Compact to the Governor of the State of North Dakota for signature and to submit such fully executed Amended Gaming Compact to the U.S. Department of the Interior for review and approval.

#### 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, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 16<sup>th</sup> day of November, 2022; 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 16<sup>th</sup> day of November, 2022.

ATTEST:

Tribal Secretary, Fred W. Fox  
Tribal Business Council

Tribal Chairman, Mark N. Fox  
Tribal Business Council