



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

***A Resolution Entitled: "Amendment to the Enrollment Ordinance of the Three Affiliated Tribes – Chapter 7, Section 11-7-2; Gender."***

**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 VI, 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,** Chapter 1, Section 11-1-8 of the Enrollment Ordinance of the Three Affiliated Tribes authorizes the Office of Tribal Enrollment staff to propose amendments to the Enrollment Ordinance; and

**WHEREAS,** The Office of Tribal Enrollment staff proposes the following amendment to be added under Chapter 7, Section 11-7-2 of the Enrollment Ordinance of the Three Affiliated Tribes:

*"4) Gender – Enrolled members may request their Gender be changed based upon the submission of a Legal Document to the Office of Tribal Enrollment (i.e. Marriage Certificate, Court Order(s), Birth Certificate and/or valid Government issued ID Cards.)"*

**WHEREAS,** The Tribal Business Council of the Three Affiliated Tribes does not support discrimination against anyone based on gender identity in the enrollment process; and



**WHEREAS,** Amending our Tribal Enrollment Ordinance as stated above is an approach consistent with our decision to not discriminate on the basis of gender identity in the enrollment process; and

**WHEREAS,** The Tribal Enrollment Ordinance currently provides no policy for non-binary and/or transgender members to update their Tribal Enrollment record; and

**WHEREAS,** Amending our Tribal Enrollment Ordinance to provide for updates to gender identity allows for Tribal members upon submission of legal documents to also obtain identification card(s) that reflects themselves as their own identified gender; and

**WHEREAS,** The first reading of this amendment to the Enrollment Ordinance was at a regular Tribal Business Council Meeting held on October 12, 2022; the second reading of this amendment to the Enrollment Ordinance was at a regular Tribal Business Council Meeting held on November 16, 2022; Notice for Public Comment was posted in the Tribes' newspaper "MHA Times" in the November 30, December 7, December 14, December 21, December 28, 2022 issues; and Notice for Public Comment was posted on the Tribes' official website [www.mhanation.com](http://www.mhanation.com) beginning November 22, 2022. No public comments were received.

**NOW, THEREFORE, BE IT RESOLVED,** after third reading and final consideration, the Tribal Business Council of the Three Affiliated Tribes does hereby authorize and approve the aforementioned amendment to the Enrollment Ordinance of the Three Affiliated Tribes; and

**BE IT FINALLY RESOLVED,** that the amendment set forth above shall be codified under Chapter 7, Section 11-7-2(4) of the Enrollment Ordinance of the Three Affiliated Tribes and shall become effective immediately upon the approval of this Resolution.

(The remainder of the page is intentionally left blank, Certification Page to follow)




### CERTIFICATION

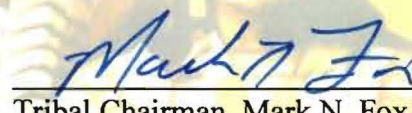
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 11<sup>th</sup> day of January, 2023, 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 11<sup>th</sup> day of January, 2023.

**ATTEST:**

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

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