

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

- WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under 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 VI, Section 3 of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to exercise all necessary sovereign authority - legislative and judicial - for the purpose of asserting the jurisdiction granted in Article I of the Constitution; and
- WHEREAS,** On the 2nd day of December, 1985, the Tribal Business Council, via Resolution No. 85-260-C, enacted certain legislation regulating the conduct of gambling within the exterior boundaries of the Fort Berthold Reservation, which legislation is titled "Gambling" and is codified as Chapter 27 of the Code of Laws of the Three Affiliated Tribes; and
- WHEREAS,** Said gambling ordinance of the Three Affiliated Tribes authorizes the Tribal Gambling Commission to issue gambling permits to public-spirited organizations and such permits have, in fact, been so issued to numerous such organizations which desire to generate, through the conduct of gambling, revenue to be devoted to public-spirited uses; and
- WHEREAS,** §2710(b)(4) of the Indian Gaming Regulatory Act (25 U.S.C. §§2701-2721) expressly authorizes an Indian tribe to regulate and license the conduct of gambling by a non-tribal government entity, but imposes certain stringent conditions and criteria on any such regulation and licensing; and
- WHEREAS,** §2719(d) of the Indian Gaming Regulatory Act expressly applies certain federal tax law requirements, concerning the reporting and withholding of taxes with respect to the winnings from gaming operations, to all gaming operations legally conducted on Indian reservations; and
- WHEREAS,** Under said federal Act, an Indian tribe maintains the authority and responsibility to regulate, concurrently with the U.S. Government, Class II gaming on the respective reservation, which responsibility includes ensuring that all

reservation gaming operations, whether owned and operated by the tribal government or by any other entity (such as a public-spirited organization), fully comply with all applicable conditions and requirements prescribed by the federal Act; and

WHEREAS, In order for each public-spirited organization licensed under the gambling ordinance of the Three Affiliated Tribes to fully comply with all applicable conditions and requirements prescribed by the Indian Gaming Regulatory Act, it is absolutely mandatory that each such licensed organization establish and maintain a procedure for the ongoing accounting of all revenues, expenses, and uses of net proceeds relating to the conduct of gambling on the Fort Berthold Reservation; and

WHEREAS, In order for the government of the Three Affiliated Tribes to satisfy its responsibility of ensuring that all licensed gaming operations on the Fort Berthold Reservation are fully complying with all applicable federal conditions and requirements, it is advisable and necessary that the gambling ordinance of the Three Affiliated Tribes be forthwith amended, so as to require that each public-spirited organization licensed under said ordinance submit to the Tribal Gambling Commission, on a monthly basis, an appropriate written report accounting for all revenues, expenses, and uses of net proceeds relating to the conduct of licensed gambling; and

WHEREAS, The Tribal Gambling Commission has developed regulations governing the establishment and maintenance of accounting and reporting procedures, in addition to forms to be used for accounting and reporting purposes, for use by the public-spirited organizations authorized to conduct gambling and has formally presented and explained such procedures and forms to such organizations at a meeting held on February 21, 1990;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council, pursuant to its Constitutional authority, hereby formally approves and adopts the following amendment to Section 7.2(d) of Chapter 27 of the Code of Laws of the Three Affiliated Tribes:

It shall report , on forms prescribed by the Commission, both monthly and annually to the Commission on the amount of revenues received or collected and expenses paid, and the uses to which the net proceeds were devoted.

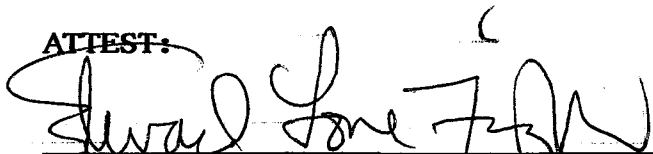
BE IT FURTHER RESOLVED, That said amendment is hereby and shall be deemed effective as of March 1, 1990.

C E R T I F I C A T I O N

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, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 8th day of March, 1990; 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.

Dated the 8th day of March, 1990.


Secretary, Tribal Business Council

ATTEST:

Chairman, Tribal Business Council