

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 5(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes of the Tribes; and
- WHEREAS, Pursuant to their Tribal Gaming Ordinance ("Ordinance") and the Indian Gaming Regulatory Act ("IGRA"), the Three Affiliated Tribes have authorized the conduct of Class II gaming within the exterior boundaries of the Fort Berthold Reservation, subject to concurrent Tribal and federal regulation; and
- WHEREAS, The Tribal Gaming Commission has recently been approached by a significant number of nonprofit organizations with requests for licensure by the Tribes to conduct various Class II games on the Reservation; and
- WHEREAS, Both IGRA and its implementing regulations prescribe certain requirements governing the use and distribution of the net proceeds derived from such "individually owned" (i.e., non tribal government owned) Class II gaming operations, including the minimum percentage of net proceeds to be distributed to the tribal government, the assessment to be paid periodically to the National Indian Gaming Commission, and the authorized uses by the tribal government of its share of the net proceeds; and
- WHEREAS, The Tribal Business Council deems it appropriate and advisable to supplement the current Ordinance with comprehensive regulations addressing the above-referenced matters inherent in the use and distribution of net proceeds derived from individually owned Class II gaming operations licensed to conduct such games on the Reservation;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby delegates to the Council's Gaming Committee the authority to develop and promulgate, in conjunction with the Tribal Legal Department and the Tribal Gaming Commission and its special legal counsel, regulations governing all requisite and appropriate elements inherent in the use and distribution of net proceeds derived from individually owned Class II gaming operations licensed by the Three Affiliated Tribes to conduct Class II games within the exterior boundaries of the Fort Berthold Reservation.


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 8<sup>th</sup> day of February, 1996; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 8<sup>th</sup> day of February, 1996.

Daylon Spotted Bear  
Secretary, Tribal Business Council

ATTEST:

  
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Chairman, Tribal Business Council