

**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,** The Tribe has created a Tribal Gaming Commission under its Gaming Ordinance, approved, as amended, by the National Indian Gaming Commission on March 8, 1995, which has the power to, among other things, license all employees of the Tribal gaming enterprise; and
- WHEREAS,** The Gaming Commission has the responsibility to check the criminal backgrounds of every person who applies for a tribal gaming license, including the person's criminal background in tribal, state, federal and other jurisdictions; and
- WHEREAS,** The Gaming Commission needs to have access to the criminal records of Indian persons that may be located within the Fort Berthold District Court in order to complete the background investigation and to comply with the Indian Gaming Regulatory Act (25 U.S.C. §§2701 et seq), and regulations issued pursuant thereto and the Tribal-state gaming compact between the Tribe and the State of North Dakota; and
- WHEREAS,** The Gaming Commission requests on a regular basis such records from the Fort Berthold District Court, which, in order to comply with the request, compiles such information and uses the time of court personnel to do so; and
- WHEREAS,** The Fort Berthold District Court deserves to receive some compensation for their efforts;
- NOW, THEREFORE BE IT RESOLVED,** That the Fort Berthold District Court may charge up to \$10.00 for retrieval and certification of each criminal record requested by the Gaming Commission, upon such form as the Gaming Commission shall provide, which criminal record shall include, but not be limited to, the following information: name, address, birthdate, Social Security number, criminal history of each charge filed against the individual, if any, including nature of crime, statute under which cited, nature of plea bargain, if any, and final disposition of the charge, if any; and

NOW, THEREFORE BE IT FURTHER RESOLVED, That the Fort Berthold District Court shall provide such information in a timely manner, not to exceed 30 days from the date of request for such information, unless otherwise agreed to by the Chairman of the Gaming Commission and the Clerk of District Court; and

NOW, THEREFORE BE IT FURTHER RESOLVED, That should there be any question about the accuracy of the information obtained by the Gaming Commission, any member of the Gaming Commission or an authorized representative may inspect such records during normal business hours of the office of the Clerk of District Court.

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, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 9th day of October, 1997; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 1 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 9th day of October, 1997.

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:



Chairman, Tribal Business Council