

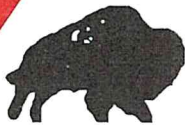
Flandreau Santee Sioux Tribe

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RESOLUTION NO. 2023-62

- WHEREAS,** the Flandreau Santee Sioux Tribe (the “Tribe”) is a federally recognized Indian Tribe organized pursuant to the Constitution and By-laws approved by the Secretary of Interior and Commissioner of Indian Affairs on April 24, 1936, amended February 7, 1941, further amended November 16, 1967, further amended November 14, 1984, further amended May 17, 1997; and further amended on July 8, 2022; and
- WHEREAS,** Article III of the Tribe’s Constitution and By-laws provides that the governing body of the Tribe shall be the Executive Committee; and
- WHEREAS,** Article VIII Section 1(e) of the Constitution vests the Executive Committee with the power to acquire, lease, or otherwise manage all lands or other assets, either real or personal, for the benefit of the Tribe as authorized by law except that where lands or assets are under the jurisdiction of the Federal government; and
- WHEREAS,** Article VIII Section 1(f) of the Constitution vests the Executive Committee with the power to promulgate and enforce ordinances governing and regulating the conduct of all persons on the reservation; and
- WHEREAS,** Article VIII, Section 2 of the Tribe’s Constitution and By-laws provides that the Executive Committee of the Tribe may exercise such other powers as may be delegated to it by the Secretary of Interior or any other duly authorized official or agency of the Federal government; and
- WHEREAS,** the Indian Gaming Regulatory Act (“IGRA”), codified at 25 U.S.C. Section 2710, authorizes the Tribe to create and modify a plan for distribution concerning tribal gaming revenues, but only if the plan has been approved by the Secretary of Interior; and
- WHEREAS,** the Executive Committee, acting in the best interest of the Tribe, believes that Title 19 entitled “Gaming Revenue Allocation Ordinance” should be updated to reflect the current needs of the Tribe and its members; and
- WHEREAS,** the determination of those qualified members of the Tribe entitled to share, and the manner in which they share, Tribal gaming profits is strictly an internal tribal matter and an inherent power of the Tribe; and

WHEREAS, the Executive Committee convened on January 24, 2023 to conduct a meeting to discuss the current version of Title 19, and to further identify any areas that required revision based on the needs of the Tribe and its members; and

WHEREAS, the Executive Committee in conjunction with the Tribe's Per Capita Committee, Membership Services Office, and its Attorney General's Office created an online survey for the Tribe's members to submit comments on proposed changes discussed at the January 24, 2023 meeting; and

WHEREAS, the online survey was open from February 4, 2023 to March 1, 2023 to all tribal members, regardless of their residency status, and was further promoted at the Tribe's February 4, 2023 General Council Meeting, through the Tribal newsletter, and through other methods of media; and

WHEREAS, in accordance with IGRA, the Tribe desires to amend Title 19, also known as its Gaming Revenue Allocation Ordinance, as provided in the attached, and further desires to transmit such approved amendments to the Secretary of Interior for review and approval; and

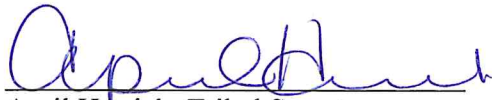
NOW THEREFORE BE IT RESOLVED that the Flandreau Santee Sioux Tribe's Executive Committee hereby approves the attached amendments to Title 19, and further authorizes the transmission of the attached approved changes to the Secretary of Interior for review and approval.

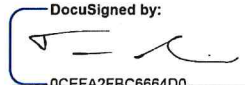
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CERTIFICATION

The foregoing Resolution was duly enacted and adopted on this **29th** day of June 2023, by the Executive Committee of the Flandreau Santee Sioux Tribe during a duly called meeting with a quorum was present of **4** In Favor, **1** Opposed, **0** Abstaining, and **2** Not Voting, as follows:

Vice President, Cynthia Allen-Weddell:	YES	<u>NO</u>	ABSTAIN	NOT PRESENT
Secretary, April Herrick:	<u>YES</u>	NO	ABSTAIN	NOT PRESENT
Trustee I, Kristi Bietz:	<u>YES</u>	NO	ABSTAIN	NOT PRESENT
Trustee II, Jonathan Schrader, Sr.:	YES	NO	ABSTAIN	<u>NOT PRESENT</u>
Trustee III, David Ross:	<u>YES</u>	NO	ABSTAIN	NOT PRESENT
Trustee IV, Richard Jones:	<u>YES</u>	NO	ABSTAIN	NOT PRESENT
President, Anthony Reider (<i>If Required</i>):	YES	NO	ABSTAIN	NOT PRESENT


April Herrick, Tribal Secretary

DocuSigned by:

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Anthony Reider, Tribal President



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

FEB 22 2024

The Honorable Anthony Reider
President, Flandreau Santee Sioux Tribe
P.O. Box 283
Flandreau, South Dakota 57028

Dear President Reider:

On January 3, 2024, the Regional Director, Great Plains Region forwarded to the Office of Indian Gaming for review and approval the Flandreau Santee Sioux Tribe's amended Revenue Allocation Plan (RAP).

The Department of the Interior (Department) has completed its review of the RAP as adopted by Tribal Council Resolution No. 2023-98, dated November 20, 2023. The RAP increases the percentage allocated for per capita payments and eliminates the allocation for a community assistance fund. In addition, the RAP makes several technical changes to existing provisions, including those relating to residency requirements, general welfare, tribal elders' eligibility, changes to the distribution schedule from the minor's trust fund account, and a new Membership Services Office to administer the RAP.

I conclude that the RAP complies with the Indian Gaming Regulatory Act, 25 U.S.C. § 2701 *et seq.* (IGRA) and the Department's implementing regulations.¹ Accordingly, pursuant to my delegated authority and Section 11 of IGRA, the RAP is approved.

If you have any questions regarding this matter, please contact Mr. Troy Woodward, Senior Policy Advisor, Office of Indian Gaming, at (202) 374-1064.

Sincerely,

Bryan Newland
Assistant Secretary – Indian Affairs

¹ 25 C.F.R. §290