



THE MILLE LACS BAND OF  
**OJIBWE INDIANS**

*Executive Branch of Tribal Government*

**EXECUTIVE ORDER 122-97**

**An Executive Order Relating to the Enforcement of the Indian Employment Rights Program**

- WHEREAS,** pursuant to 4 MLBSA § 6(e), the Chief Executive is authorized to issue Executive Orders on any subject matter within the Executive Branch pursuant to the authorities conferred by Band Statute; and,
- WHEREAS,** pursuant to 4 MLBSA § 4 and 4 MLBSA § 7(d), the Chief Executive is authorized to regulate the job performance of all employees within her area of jurisdiction; and,
- WHEREAS,** pursuant to Mille Lacs Band Statute 4 MLBSA § 4 and 4 MLBSA § 7(g), the Chief Executive is authorized to prescribe procedures for the development of policy within her area of jurisdiction; and,
- WHEREAS,** pursuant to Mille Lacs Band Statute 4 MLBSA § 4 and 4 MLBSA § 7(l), the Chief Executive is authorized to take such measures as are deemed necessary to prevent any action which threatens the well-being of programs within her jurisdiction by issuance of a formal Executive Order; and,
- WHEREAS,** pursuant to 18 MLBSA § 401 et seq., the Band has adopted an Indian Employment Rights Program which includes Indian preference in hiring and contracting; and,
- WHEREAS,** this program is necessary to try to alleviate the historic inequities in opportunities for Indian people in employment and contracting; and,
- WHEREAS,** there has been confusion regarding who is eligible for preferential treatment under the program; and,
- WHEREAS,** pursuant to 18 MLBSA § 402, the Administration Policy Board is given the responsibility for administering the program.

**NOW THEREFORE, BE IT ORDERED** that all commissioners and department heads of the Band government shall ensure that Indian preference in hiring and contracting as required by 18 MLBSA § 401 et seq. is followed in the operation of the Band.

**DISTRICT I**

HCR 67, Box 194 • Onamia, MN 56359  
(320) 532-4181 • Fax (320) 532-4209

**DISTRICT II**

Route 2 • Box 58 • McGregor, MN 55760  
(218) 768-3311 • Fax (218) 768-3903

**DISTRICT III**

Route 2 • Box 233-N • Sandstone, MN 55072  
(320) 384-6240 • Fax (320) 384-6190

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**BE IT FURTHER ORDERED** that until such time as the Administration Policy Board has adopted a uniform definition of "Indian preference," the following shall apply:

- A. The priority for Indian preference in hiring and contracting which shall be used, in order of preference is:
  - 1. Mille Lacs Band Member
  - 2. Other Indian Tribe or Band Member
  - 3. All Non-Indians
  
- B. For hiring, Indian preference shall apply when a qualified individual meets the minimum necessary qualifications for a position as listed in the applicable job description.
  
- C. For contracting, Indian preference shall apply to a qualified entity that is within 10% of the lowest competitive bid.

Dated this 19 day of August, 1997.

  
\_\_\_\_\_  
Marge Anderson  
Chief Executive

Expiration Date: None

**APPROVED AS TO FORM,  
EXECUTION AND NUMBERING**

  
\_\_\_\_\_  
James M. Genia  
Solicitor General

**OFFICIAL SEAL OF THE BAND**