



THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 21-04-67-25

**A RESOLUTION IN SUPPORT OF MEANINGFUL CONSULTATION
ASSOCIATED WITH THE DISBURSEMENT OF FEDERAL FUNDS FOR
MINING ACTIVITIES UNDER THE NATIONAL DEFENSE
AUTHORIZATION ACT FOR FISCAL YEAR 2026**

- WHEREAS, the Mille Lacs Band Assembly (“Band Assembly”) is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe (“Band”), a federally recognized Indian Tribe; and
- WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the authority to adopt resolutions; and
- WHEREAS, pursuant to 3 MLBS § 1(m), a “resolution” is defined as “a formal expression of the opinion, will, or intention” of the Band Assembly; and
- WHEREAS, federal agencies have a responsibility to respect the letter and spirit of the United States Constitution, Treaties, current federal laws, and Executive Orders regarding the federal government’s relationship with Tribal Nations; and
- WHEREAS, Executive Order 13175 calls upon federal agencies to consult and coordinate with Tribal Nations on a government-to-government basis and pursue the least intrusive means when implementing policies affecting Tribal Nations; and
- WHEREAS, H.R. 1, 119th Cong. (2025), authorized nearly \$13 billion in direct funding for mining activity and up to \$350 billion in loan guarantees for those projects; and
- WHEREAS, the *National Defense Authorization Act* for Fiscal Year 2026, S. 2296, 119th Cong. (2025), purports to further expand the authority of the Department of Defense to support mining activity; and
- WHEREAS, this mining activity, including processing facilities, often has a negative impact on the long-term sustainability of watersheds, traditional fish and wildlife, traditional hunting grounds, traditional gathering grounds, and a traditional subsistence lifestyle; and
- WHEREAS, previous funding awards by the Department of Defense have sometimes proceeded without appropriate consultation to affected Tribal Nations; and
- WHEREAS, proper respect for the interests of Tribal Nations in these decisions would result in better decisions by and for the United States.

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NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly hereby calls on the United States Department of Defense, Secretary of Defense, and any other federal agencies that award funding for mining activity pursuant to S. 2296, including processing facilities, to consult with each interested Tribe whose self-government, trust resources, or treaty tribal rights may be impacted by the action, and to partake in that consultation prior to the announcement of any funding for any mineral activities.

BE IT FURTHER RESOLVED, any federal legislation providing authorization or funding for mining activity, including S. 2296, should include language ensuring that Tribal Nations are consulted prior to any commitment or announcement of funding, any funding decision, and any committed funding is spent.


BE IT FURTHER AND FINALLY RESOLVED, that this resolution shall be the policy of the Band Assembly until it is withdrawn or modified by subsequent resolution.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly in Legislative Chambers, a quorum of legislators being present, held on the 29th day of October, 2025, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

OFFICIAL SEAL OF THE BAND




Sheldon Boyd, Speaker of the Assembly

Sponsor: District I Representative