



# THE MILLE LACS BAND OF OJIBWE INDIANS

## *Legislative Branch of Tribal Government*

### **JOINT RESOLUTION 14-01-87-10**

#### **A JOINT RESOLUTION OF THE MILLE LACS BAND OF CHIPPEWA INDIANS APPROVING THE DELAY OF THE IMPLEMENTATION OF DNA TESTING TO DETERMINE PARENTAGE FOR ENROLLMENT PURPOSES TO THE NEXT QUARTERLY ENROLLMENT PERIOD**

- WHEREAS, the Mille Lacs Band Assembly is the duly-elected governing body of the Mille Lacs Band of Chippewa Indians; and
- WHEREAS, the Chief Executive of the Band is empowered to exercise the Executive Branch powers of the Band; and
- WHEREAS, the Mille Lacs Band of Chippewa Indians is one (1) of the six (6) Chippewa Bands forming the Minnesota Chippewa Tribe ("MCT"); and
- WHEREAS, Article III of the Minnesota Chippewa Tribe Revised Constitution and Bylaws empower the Tribal Executive Committee ("TEC") as the governing body of the MCT; and
- WHEREAS, the Secretary-Treasurer and the Chief Executive are voting members of the TEC; and
- WHEREAS, Article II of the Minnesota Chippewa Tribe Revised Constitution mandates the tribal membership criteria for all six (6) Bands; and
- WHEREAS, Article II, Section 1(c) of the Minnesota Chippewa Tribe Revised Constitution requires that, in order to be enrolled with the MCT, a child born after July 3, 1961 must be at least one quarter (1/4) degree MCT blood and must be a child of an enrolled Band member; and
- WHEREAS, on February 1, 2010, the Chief Executive and Band Assembly adopted Joint Resolution 14-01-36-10 (a copy of which is attached hereto) approving the use of DNA testing to determine parentage for enrollment purposes; and
- WHEREAS, the Band Assembly and Chief Executive acknowledge that policies and procedures need to be adopted prior to the initiation of DNA testing and therefore approve the **delay of the implementation of DNA testing to determine parentage for enrollment purposes to the next quarterly enrollment period**; and

WHEREAS, the Band Assembly and Chief Executive have also determined that it is in the best interest of the Mille Lacs Band of Chippewa Indians to require that all eligible applicants for enrollment be required to have DNA testing at a lab chosen by the Band according to Band policies and procedures prior to enrollment into the Mille Lacs Band of Chippewa Indians; and

WHEREAS, such DNA testing at the selected lab should indicate a test result of at least a 99% chance that the biological parents and child are related as biological parent and child; and

WHEREAS, the Mille Lacs Band of Chippewa Indians hereby reserves the right to require DNA testing of any enrolled Mille Lacs Band Member who is suspected of the fraudulent use of an Affidavit of Paternity or other means to become enrolled with the Mille Lacs Band. If such reasonable suspicion is reported in good faith to one of the elected officials, such report shall be forwarded to the Solicitor General's office and may result in prosecution for fraud if DNA testing of such individual indicates to a 99% certainty that no biological relationship exists with the Band Member who is claimed to be his/her parent; and

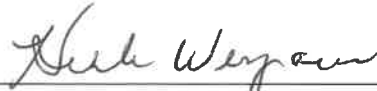
WHEREAS, Joint Resolution 14-01-36-10 adopted on February 1, 2010, also rescinded Band Resolution 05-04-176-93 which allowed the use of an "Affidavit of Paternity" to show parentage and continues to reserve the right to require DNA testing of any enrolled Mille Lacs Band Member who is suspected of using fraudulent means to become enrolled with the Mille Lacs Band.

NOW THEREFORE BE IT RESOLVED, the Band Assembly and Chief Executive have determined that it is in the best interest of the Mille Lacs Band of Chippewa Indians to delay the implementation of DNA testing for parentage for enrollment purposes until all the required policies and procedures are in place and agree to delay such implementation to the next quarterly enrollment period.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Band Assembly and Chief Executive continue to reserve the right to require DNA testing of any enrolled Mille Lacs Band Member who is suspected of the fraudulent use of an Affidavit of Paternity or other means to become enrolled with the Mille Lacs Band. If such reasonable suspicion is reported in good faith to one of the five Mille Lacs Band elected officials, such report shall be forwarded to the Solicitor General's office and may result in prosecution for fraud if DNA testing of such individual indicates to a 99% certainty that no biological relationship exists with a Band Member who is claimed to be his/her parent.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 20<sup>th</sup> day of April, 2010, at Hinckley, 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.

  
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Herb Weyaus, Speaker of the Assembly

IN COCURRENCE, with the action of the Speaker of the Assembly, I, hereunto set my hand to this resolution.

  
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Marge Anderson, Chief Executive

**OFFICIAL SEAL OF THE BAND**