



THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT RESOLUTION 15-03-207-13

**A JOINT RESOLUTION DELEGATING AUTHORITY TO VERIFY
MEMBERSHIP FOR PURPOSES OF IMPLEMENTING
THE INDIAN CHILD WELFARE ACT**

- WHEREAS, the Mille Lacs Band Assembly is the duty-elected governing body of the Mille Lacs Band of Ojibwe, a federally- recognized Indian Tribe; and
- WHEREAS, the Chief Executive is empowered to execute the Executive Branch powers of the Band; and
- WHEREAS, prior to federal recognition, the Mille Lacs Band of Ojibwe has determined its own membership; and
- WHEREAS, as an attribute of its inherent sovereign authority, the Mille Lacs Band of Ojibwe continues to regulate its internal and social relationships, including determining which persons are considered members of the Mille Lacs Band of Ojibwe; and
- WHEREAS, the Mille Lacs Band of Ojibwe is a signatory to the Tribal/State Agreement of 1998 with the State of Minnesota, and said Agreement includes the policies and procedures encompassed in the comprehensive working relationship which is utilized when children of any of the eleven (11) Tribes in Minnesota are involved in State Court proceedings involving the Indian Child Welfare Act; said Agreement provides that "A decision by the Indian Child's Tribe that states the child is a member of Tribe is conclusive;" and
- WHEREAS, the Mille Lacs Band has previously delegated authority to verify membership for purposes of implementing the Indian Child Welfare Act to the Mille Lacs Band Director of Tribal Operations; and
- WHEREAS, the Mille Lacs Band of Ojibwe's membership determinations have uniformly been recognized as an exercise of the fundamental attribute of Tribal Sovereignty to determine its own membership and the Band's determinations have not been challenged; and
- WHEREAS, Joint Resolution 11-02-90-04 dated September 3, 2004 is hereby rescinded in favor of this resolution.

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NOW THEREFORE, BE IT RESOLVED, that the Mille Lacs Band of Ojibwe does hereby officially delegate authority to the Mille Lacs Band of Ojibwe's Director of Tribal Operations to verify the membership of individuals who are enrolled in the Mille Lacs Band of Ojibwe for purposes of the Indian Child Welfare Act; and

BE IT FURTHER RESOLVED that all children of enrolled members of the Mille Lacs Band of Ojibwe shall, for purposes of the Indian Child Welfare Act, be considered enrolled members of the Mille Lacs Band of Ojibwe.

BE IT FURTHER AND FINALLY RESOLVED that Joint Resolution 11-02-90-04 dated September 3, 2004 is hereby rescinded.

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 23rd day of April, 2013 at Vineland, Minnesota by a vote of 2 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 and forwarded to the Chief Executive for concurrence.



Curt Kalk, Speaker of the Assembly

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



Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND