



THE MILLE LACS BAND OF OJIBWE INDIANS

Legislative Branch of Tribal Government

JOINT RESOLUTION 17-01-118-16

A JOINT RESOLUTION APPROVING THE DEPUTATION AGREEMENT WITH THE BUREAU OF INDIAN AFFAIRS, OFFICE OF JUSTICE SERVICES

WHEREAS, the Mille Lacs Band of Ojibwe ("MLB" or "Band"), a constituent member of the Minnesota Chippewa Tribe ("MCT"), is a federally recognized Indian Tribe, 81 Fed. Reg. 5019-02, 5021 (Jan. 29, 2016), and;

WHEREAS, the former MLB Reservation Business Committee ("RBC") maintained authority "[t]o consult, negotiate . . . and conclude agreements . . . with Federal . . . organizations on all matters," REVISED CONST. & BYLAWS OF THE MCT, art. VI, § 1(c), and;

WHEREAS, the MLB Band Assembly ("Band Assembly") is the direct successor to the RBC, which formerly constituted the governing body of the Band, REVISED CONST. & BYLAWS OF THE MCT, art. III; 3 MLBSA § 1, and;

WHEREAS, the Chief Executive is the direct successor to the RBC Chairperson, REVISED CONST. & BYLAWS OF THE MCT, art. III, § 2; 4 MLBSA § 2, and;

WHEREAS, the Band established a tri-partite form of government, delineating and delegating separate legislative, executive, and judicial duties, functions, obligations, and powers unto those component branches, 2 MLBSA §§ 3-4, and;

WHEREAS, the Chief Executive exercises authority "[t]o conduct external [governmental] relations" and "recommend . . . agreements to the Band Assembly for ratification," 4 MLBSA § 6(c)-(d), and;

WHEREAS, the Band Assembly exercises authority "[t]o adopt resolutions" and "ratify agreements," 3 MLBSA § 2(d), (f), and;

WHEREAS, the Secretary of the Interior is authorized to enter into an agreement with a tribal law enforcement agency to aid in the enforcement and execution of federal and tribal laws in Indian Country, *see, e.g.*, Tribal Law & Order Act of 2010, Pub. L. No. 111-211, Tit. II, § 231(b), 124 Stat. 2258, 2272-73 (amending, in part, 25 U.S.C. § 2804 (2012)), and;

WHEREAS, the Band Assembly and Chief Executive have identified a legitimate law enforcement need for an agreement that permits peace officers employed by the

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Band to exercise the equivalent authority of Bureau of Indian Affairs, Office of Justice Services officers, within the Band's territorial jurisdiction.

NOW THEREFORE BE IT RESOLVED that the Band Assembly and Chief Executive hereby approve the attached Deputation Agreement between the Mille Lacs Band of Ojibwe and the Bureau of Indian Affairs, Office of Justice Services, for the purpose of enhancing the enforcement of federal and tribal laws within the Indian Country of the Band.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 30th day of June 2016, at Nayashing, Minnesota, by a vote of 3 FOR, 0 AGAINST, and 0 SILENT.

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


Carolyn M. Beaulieu, Speaker of the Assembly

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


Melanie A. Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

