

## RESOLUTION \_\_\_\_ - 21

- WHEREAS**, the Minnesota Chippewa Tribe, comprised of six member reservations (Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, and White Earth), is a representative Chippewa tribal organization that is federally recognized and organized under the provisions of the Indian Reorganization Act of 1934 and governed under the terms of the Revised Constitution and Bylaws, as amended; and
- WHEREAS**, the Tribal Executive Committee is the duly elected governing body of the Minnesota Chippewa Tribe and is comprised of the Chairpersons and Secretary/Treasurers from the six constituent bands of the Minnesota Chippewa Tribe; and
- WHEREAS**, Article XIV of the Revised Constitution and Bylaws provides that an affirmative vote of eight (8) members of the Tribal Executive Committee shall be enough to trigger a referendum whereby any enacted or proposed resolution or ordinance can be submitted to the eligible voters of the Minnesota Chippewa Tribe for a referendum vote; and
- WHEREAS**, Article II of the Revised Constitution and Bylaws governs membership in the Minnesota Chippewa Tribe and provides that the following categories of individuals are eligible for enrollment: 1.) persons of Minnesota Chippewa Indian blood whose names appear on the annuity roll of April 14, 1941 ("1941 Base Roll"); 2.) children born between April 14, 1941 and July 3, 1961 whose parent or parents are listed on the 1941 Base Roll; and children of at least one quarter (1/4) Minnesota Chippewa Indian blood born after July 3, 1961 to an MCT member who are not enrolled in another tribe and who are American citizens; and
- WHEREAS**, the courts have consistently recognized that a basic power of a tribe is to define its own membership and to grant, deny, revoke, and condition membership, *See Santa Clara Pueblo v. Martinez*, 436 U.S. 49 (1978); *Smith v. Babbitt*, 100 F.3d 556 (8<sup>th</sup> Cir. 1997); and
- WHEREAS**, applications for enrollment are presented to the Tribal Executive Committee and although the Bands have a role in reviewing applications and making initial recommendations, the decision is that of the Tribal Executive Committee; and
- WHEREAS**, blood quantum in enrollment has been a topic of constant discussion before the Tribal Executive Committee and the blood quantum system, set up by the federal government, will lead to diminishing tribal membership over time; and
- WHEREAS**, many tribes are struggling with an effective method to enroll the youth, many of whom are falling just short of current eligibility requirements; and

**WHEREAS,** the Tribal Executive Committee took action to correct the 1941 Base Roll through the enactment of Resolution 36-20 and such action was supported by the laws and ordinances of the Minnesota Chippewa Tribe; and

**WHEREAS,** Resolution 36-20 restored full blood status to 1,089 original allottees that had a blood quantum listed as seven eighths (7/8ths) on the 1941 Base Roll; and

**WHEREAS,** the blood quantum listed in the 1941 Base Roll are suspect and nothing in the laws of the Minnesota Chippewa Tribe foreclose the Tribal Executive Committee from acting to proactively resolve uncertainty surrounding the 1941 Base Roll; and

**WHEREAS,** another Chippewa Tribe in Minnesota has taken action to address latent deficiencies in the blood quantum listed in various rolls by legislatively restoring full-blood status to individuals born before a certain date; and

**WHEREAS,** it is in the best interests of the Minnesota Chippewa Tribe to address the issue of blood quantum and the 1941 Base Roll by conducting a referendum on the following question: should the Tribal Executive Committee of the Minnesota Chippewa Tribe enact laws to restore all individuals listed on the 1941 Base Roll to full-blood status; and

**BE IT RESOLVED,** that the Minnesota Chippewa Tribe Tribal Executive Committee does hereby authorize a referendum to be conducted on the following question: should the Tribal Executive Committee of the Minnesota Chippewa Tribe enact laws to restore all individuals listed on the 1941 Base Roll to full-blood status.

We do hereby certify that the foregoing Resolution was duly presented and acted upon by a vote of [X] For, [X] Against, [X] Silent, at a Special Meeting of the Minnesota Chippewa Tribal Executive Committee, a quorum present, held on [Month] [date], 2021 in [Location], Minnesota.

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**Catherine J. Chavers., President**  
**THE MINNESOTA CHIPPEWA TRIBE**

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**April M. McCormick, Secretary**  
**THE MINNESOTA CHIPPEWA TRIBE**