



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE FRACTIONATED INTEREST PURCHASES THE INDIAN LAND CONSOLIDATION ACT RESOLUTION 11-3-10 E

- WHEREAS**, on November 1, 1994, the United States Secretary of Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and
- WHEREAS**, the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, organized pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS**, the Legislature of the Ho-Chunk Nation is the duly constituted governing body of the Ho-Chunk Nation pursuant to the Constitution of the Ho-Chunk Nation; and
- WHEREAS**, Article V, Section 2 (a) of the Ho-Chunk Nation Constitution ("Constitution") authorizes the Legislature to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS**, Article V, Section 2 (i) of the Constitution grants the Legislature the power to negotiate agreements with other governments, organizations, or individuals; and
- WHEREAS**, Article V, Section 2 (l) of the Constitution grants the Legislature the power to enact laws to manage, lease, permit, or otherwise deal with the Nation's lands, interests in lands or other assets; and
- WHEREAS**, Article V, Section 2 (m) of the Constitution grants the Legislature the power to enact laws to prevent the sale, disposition, or encumbrance of Ho-Chunk lands, or other Ho-Chunk assets; and
- WHEREAS**, Article V, Section 2 (n) of the Constitution grants the Legislature the power to purchase under condemnation proceedings any lands within the jurisdiction of the Ho-Chunk Nation; and

WHEREAS, Article V, Section 2 (o) of the Constitution grants the Legislature the power to enact laws to regulate and zone any lands within the jurisdiction of the Ho-Chunk Nation; and

WHEREAS, Article V, Section 2 (p) of the Constitution grants the Legislature the power to enact laws to create and regulate a system of property including but not limited to use, title, deed, estate, inheritance, transfer, conveyance, and devise; and

WHEREAS, Article V, Section 2 (t) of the Constitution grants the Legislature the power to enact laws governing law enforcement on lands within the jurisdiction of the Nation; and

WHEREAS, In 1983, Congress passed the Indian Land Consolidation Act (ILCA) to:

- Prevent further fractionation of trust allotments
- Consolidate allotted fractional interests and ownership into usable parcels
- Consolidate fractional interest in a manner that enhances tribal sovereignty
- Promote tribal self-sufficiency and self-determination
- Reverse the effects of the allotment policy on Indian tribes; and

WHEREAS, the Bureau of Indian Affairs (BIA) through the authority of the Indian Land Consolidation Act has purchased fractionated interests from the Ho-Chunk Nation membership on behalf of the Ho-Chunk Nation; and

WHEREAS, the Ho-Chunk Nation, as a sovereign government, has the ability to manage its own affairs by expanding initiatives and key reforms in the best interests of the Ho-Chunk Nation; and

WHEREAS, the Ho-Chunk Nation will create the following plans which will document priorities for the purchase of fractionated interests from the Ho-Chunk membership:

- Land Acquisition Plan
- Land Consolidation Plan
- Economic Development Plan; and

NOW THEREFORE BE IT RESOLVED that the Ho-Chunk Nation hereby advises the Bureau of Indian Affairs to cease purchasing any additional fractionated interests from the Ho-Chunk membership without the approval of the Legislature by resolution.

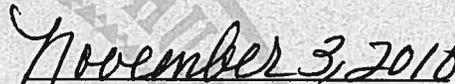
BE IT FURTHER RESOLVED, that the Nation's Land Development Team will research heirship lands on the prioritized list to determine which lands are most suitable for acquisition, development, and cultural purposes according to the Nation's goals, prior to legislative approval of fractionated interest purchases.

BE IT FURTHER RESOLVED, that the Ho-Chunk Nation President and Vice-President are authorized to sign any and all documents relevant to purchasing fractionated heirship lands.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation Legislature, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members, of whom 9 constituting a quorum were present at a meeting duly called and convened and held on the 3rd day of November, 2010, that the foregoing resolution was adopted by an affirmative vote of 9 members, 0 opposed, and 1 abstaining, pursuant to the authority of Article V, Section 2(a) through (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that said resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.


Hope B. Smith, Tribal Secretary


Date

