



**HO-CHUNK NATION CODE (HCC)
TITLE 2 – GOVERNMENT CODE
SECTION 9 – CONFIRMATION PROCESS OF EXECUTIVE
DIRECTORS FOR THE HO-CHUNK NATION ACT**

ENACTED BY LEGISLATURE: FEBRUARY 20, 2001

LAST AMENDED: June 20, 2023

CITE AS: 2 HCC § 9

This Act supersedes HCC 96-005, Confirmation Process of Executive Directors for the Ho-Chunk Nation Act of 1996 as amended by Ho-Chunk Nation Legislative Resolutions 7/20/99F, 9/28/99B, 8/10/99F and 8-21-20A.

Last Amended by Ho-Chunk Nation Legislative Resolution 06-13-23 B

1. Authority.

- a. Article V, Section 2(a) of the Constitution grants the Legislature the power to make laws, including codes, ordinances, resolutions, and statutes.
- b. Article V, Section 2(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power.
- c. Article V, Section 2(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget.
- d. Article V, Section 2(e) of the Constitution grants the Legislature the power to raise revenue, including the power to levy and collect taxes and license fees.
- e. Article V, Section 2(f) of the Constitution grants the Legislature the power to set the salaries, terms and conditions of employment for all governmental personnel.
- f. Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers.

g. Article VI, Section 2(e) of the Constitution grants the President the power to nominate the Executive Directors of each Department subject to confirmation by the Legislature except that if a confirmation vote is not taken by the Legislature within ninety (90) days the nomination shall be deemed confirmed.

2. Purpose and Applicability.

a. The purpose of this Act shall be:

(1) To assist in an orderly transition between Executive administrations through a confirmation process.

(2) To assist in an orderly confirmation process of an Executive Director whenever an Executive Director position is deemed vacant for whatever reason.

(3) To provide a legal process necessary for the Legislature to exercise its legislative powers under Article V, Section 2 of the Constitution to confirm an Executive Director and to set the terms and conditions of employment for all governmental personnel.

b. This Act shall be applicable to all Candidates, Acting Executive Directors, and Executive Directors.

3. Definitions. As used in this Act, the following shall have the meaning provided here:

a. "Acting Executive Director" means the appointment, selection, or designation by the President of a person to serve as the temporary head or administrator of an Executive Branch Department, when there is not a confirmed Executive Director of the particular Department.

b. "Administration" means a President's term in office.

c. "Candidate" means an individual whose application the President will submit or submits to the Legislature for consideration as to whether or not the individual shall be confirmed as an Executive Director. A candidate shall not have any authority with respect to the Department until such time as the Legislature confirms them as an Executive Director. The only exception to the preceding sentence is if the candidate previously served as Executive Director in the same Executive Director position in the immediate preceding Administration.

d. "Confirmation" means giving legal force to the appointment of a candidate as a Director of an Executive Department.

e. "Confirmation Hearing" means that hearing conducted by the Legislature for the purpose of considering the confirmation of a nominee for the position of Executive Director of a Department and the review of their submitted nomination materials. At the discretion of the Legislature, a confirmation hearing may simply be a review, during a normal Legislative Session, of the material submitted with respect to the nomination.

f. “Executive Director” means the person selected by the President and confirmed by the Legislature to serve as director of one of the Executive Branch departments.

g. “New Administration” means the installation of a new President regardless of the reason, i.e., election, re-election, or to fill a vacancy.

h. “President pro tempore” means the Vice President serving as the President pro tempore when a vacancy occurs in the Office of the President pursuant to Article IX, Section 9 of the Ho-Chunk Nation Constitution.

4. Qualifications.

a. Executive Director.

- (1) Any Executive Director candidate nominated by the President or President pro tempore shall, at a minimum, meet the qualifications for employment contained in the position description approved by the Legislature.
- (2) The President or President pro tempore shall not nominate an individual for Executive Director of a Department who has been convicted of a felony, unless pardoned for that felony.
- (3) The President or President pro tempore shall not nominate an individual who has been denied an Executive Director confirmation by the Legislature for that department during that President’s Administration, unless:
 - i. the Legislature issued its denial as a result of the individual’s nomination being withdrawn; and
 - ii. the Legislature has provided for such future nomination in the denial of confirmation resolution.

b. Acting Executive Director.

- (1) Any person selected by the President or President pro tempore as an Acting Executive Director shall, at a minimum, meet the qualifications for employment contained in the Executive Director position description approved by the Legislature.
- (2) The President or President pro tempore shall not name as an Acting Executive Director an individual who has been convicted of a felony, unless pardoned for that felony.
- (3) The President or President pro tempore shall not name as an Acting Executive Director an individual who has been denied an Executive Director confirmation by the Legislature for that department during that President’s Administration, unless;

- i. the Legislature issued its denial as a result of the individual's nomination being withdrawn; and
- ii. the Legislature has provided for such future nomination in the denial of confirmation resolution.

5. Executive Director Vacancy.

- a. Confirmation by the Legislature of an Executive Director during a previous Presidential Administration shall have neither force nor effect in subsequent New Administrations nor, in the event that an individual is re-elected as President, shall nominations or appointments remain in force or effect. In both situations, the position of Executive Director shall be considered vacant at the start of the administration.
- b. If during an Administration for any reason a confirmed Executive Director is no longer serving as Executive Director of the Department, the position of Executive Director shall be considered vacant.
- c. Acting Executive Director. When a vacancy occurs for any reason, the President or President pro tempore shall name an Acting Executive Director of the Department to serve until an Executive Director for that Department is confirmed. An Acting Executive Director shall be an individual from within the Department, chosen by the President or President pro tempore to serve as the head of the Department until the Legislature has confirmed an Executive Director. The President or President pro tempore shall provide notice to the Legislature of any such appointment within three (3) working days of such appointment.

(1) Powers and Restrictions of Acting Executive Director. An Acting Executive Director shall not possess the powers of a confirmed Executive Director, but shall be limited to the administration of the department. The Acting Executive Director shall lack the power to hire, terminate, promote, or make decisions affecting subordinate employee compensation, but may follow the employment laws in matters of disciplinary actions, up to and including the ability to suspend as needed for the administration of the Department. Compensation of the Acting Executive Director shall be set at the base wage for that position, unless the Acting Executive Director was the immediate prior office holder, served as the confirmed Executive Director in the immediate prior Presidential Administration and is being put forth as a nominee (or if current wage is higher). The Acting Executive Director shall be prohibited from travel, unless the travel is required or mandated for the explicit purpose of completing a task specific to and for the Nation. The restriction on travel covers travel to conferences and training, but does not include travel for the express purpose of completing a required job task.

6. Nomination Process. The President, pursuant to Article VI, Section 2(e) of the Constitution of the Ho-Chunk Nation, must name all Executive Directors, subject to the confirmation of the Legislature.

a. Nomination. When a vacancy occurs for any reason, the President or President pro tempore shall nominate a candidate to be the Executive Director of an Executive Department.

b. Timeframe for Nomination.

(1) The President of a New Administration resulting from an election shall submit to the Legislature, within thirty (30) days of being sworn into office, his or her candidates for all Executive Director Positions.

(2) The President pro tempore of a New Administration resulting from a vacancy shall submit to the Legislature, within thirty (30) days after the appointment, his or her candidates for all Executive Director Positions.

(3) In the event that an Executive Director vacancy occurs for any reason during an Administration, the President shall nominate a candidate within twenty-one (21) days of such vacancy to fill the vacant position.

c. Submission of Nomination. Only the name of one (1) candidate for each Executive Director position shall be submitted for nomination. The President or President pro tempore shall include with their nomination letter to the Legislature a statement of the nominee's qualifications, a complete résumé of the candidate, a list of at least three (3) personal and/or business references of the candidate, and a completed background investigation. The Personnel Department shall have conducted the background investigation and include a written summary of any findings, on each Executive Director Nominee. The investigation shall include, but is not limited to, the following information:

(1) Education qualifications.

(2) Results of contacts with the nominee's references.

(3) State of Wisconsin or any other state criminal investigation and/or criminal conviction records.

(4) A review of the Financial Disclosure Statement for all Executive Director Nominees for the Department of Treasury and the Department of Business that shall include ownership or interest in any business, partnership, or corporation.

(5) A review of any gaming license application that has been filed by the nominee with the Ho-Chunk Nation. For any Executive Director job description that requires a gaming license, the nominee must hold or if not already held, then apply for and receive, a gaming license. If the nominee must apply for a gaming license, such application review shall be expedited.

(6) A review of the Executive Director Nominee's HCN Personnel file.

7. Confirmation Process.

a. Confirmation Hearing. The Legislature shall schedule and conduct Confirmation Hearings for each Nominee within two (2) regular sessions of receiving a complete nomination for Executive Director.

b. Confirmation Vote. The Legislature shall schedule and conduct a Confirmation Vote on each Nominee within two (2) regular sessions of the Confirmation Hearing.

c. Confirmation. Upon confirmation, the appointment of the Executive Director has full force and effect. If the Legislature elects, in its discretion, to confirm the nomination of the Executive Director, the Legislature shall use the Resolution attached as Appendix A and entitled “CONFIRMATION OF [NAME OF NOMINATED EXECUTIVE DIRECTOR] TO THE POSITION OF EXECUTIVE DIRECTOR OF [NAME OF EXECUTIVE DEPARTMENT]” or a similarly worded Resolution.

d. Denial of Confirmation. In the event that the Legislature, in its discretion, denies a confirmation, the position of Executive Director shall be deemed vacant from the effective date of the denial and the President shall proceed to nominate another candidate for that Executive Director position in accordance with this Act. If the Legislature elects to deny the application of the Nominee for Executive Director, the Legislature shall use the Resolution attached as Appendix B and entitled “DENIAL OF [NAME OF NOMINATED EXECUTIVE DIRECTOR] TO THE POSITION OF EXECUTIVE DIRECTOR OF [NAME OF EXECUTIVE DEPARTMENT]” or a similarly worded Resolution.

e. Pursuant to Article VI, Section 2(e) of the Constitution of the Ho-Chunk Nation (see Section 1, subparagraph d.), a Nominee for Executive Director shall be deemed confirmed if the Legislature fails to take a confirmation vote within ninety (90) days submitting a complete nomination.

8. Penalties.

a. Any violation of this Act shall result in sanctions.

b. Violations of deadlines shall have a fine assessed in accordance with the following schedule. Failure to pay such fines shall be prosecuted by the Attorney General without discretion.

- 1 - 7 days \$100
- 8 – 14 days \$200
- 15 – 21 days \$300
- 22 – 28 days \$400
- 29 or more days \$500

c. Any violation of this Act may be considered malfeasance under the Ho-Chunk Nation Constitution and the Code of Ethics.

d. Any individual who violates a provision of this Act shall be personally liable.

8. Confidentiality.

a. It shall be unlawful for any current or former employee or contractor to reveal to any individual, any information discovered under this Act. All information obtained shall be protected by applicable Tribal, federal, or state laws.

b. The candidate may have access to his or her file only by complying with the requirements set forth in the *Ho-Chunk Nation Discovery Act*.

9. Severability. If any provision of this law shall in the future be declared invalid by the Judiciary, the invalid provision or provisions shall be severed and the remaining provisions shall continue in full force and effect.

Legislative History:

9/10/96 Adopted by the Legislature.
8/10/99 Amended by Legislative Resolution 8/10/99F.
7/20/99 Section 306 amended by Legislative Resolution 7/20/99F.
9/28/99 Sections 307 thru 311 amended by Legislative Resolution 9/28/99B.
2/20/01 Enacted as 2 HCC § 9 by Legislative Resolution 2/20/01A.
2/27/01 Amended and Restated by Legislative Resolution 2/27/01B adding paragraph 5g.
4/3/01 Legislative Resolution 4/3/01D amended the effective date of 2HCC9 to July 1, 2001.
12/19/01 Amended and Restated by Legislative Resolution 12/19/01C amending paragraph 7a(4) requiring incumbent nominees to vacate their positions if not confirmed by the Legislature.
7/22/03 Amended and Restated by Legislative Resolution 7/22/03A amending paragraph 5g establishing the wage for Interim Directors who are incumbent Executive Directors being re-nominated to the same position.
01/20/10 Legislature passes motion to refer Confirmation Act to the Administration Committee to review provisions of Confirmation Act.
02/19/10 Administration Committee reviews proposed amendments and passes motion to refer version with proposed amendments to the Legislature to be placed out for forty-five day public comment.
02/22/10 Legislature adopts Resolution 02-22-10-A placing proposed amendments out for forty-five day public comment.
05/04/10 After receiving no public comments regarding proposed amendments to Act, Legislature presented Act with accompanying Resolution to adopt the amendments to the Act. Legislature adopts Resolution 05 - 04 -10 - C adopting proposed amendments to the Act.
8/18/20 Legislature defeats Quick Passage Resolution 8-18-20E, including proposed amendments to the Act regarding Acting Appointments (Section 3.a), the Qualifications of Acting Appointments (Section 4), the Background Investigation process (Section 6), and provisions regarding Acting Appointments when the Legislature denies a nomination or confirmation (Section 5 and Section 7).
8/31/20 Legislature adopts Quick Passage Resolution 8-31-20B, including proposed amendments to the Act regarding Acting Appointments (Section 3.a), the Qualifications of Acting Appointments (Section 4), the Background Investigation process (Section 6), and provisions regarding Acting Appointments when the Legislature denies a nomination or confirmation (Section 5 and Section 7). Note: Amending language adopted differs from that proposed in Quick Passage Resolution 8-18-20E, by striking reference to credit check history and reference to “select,” and instead opting for “accept.”
04/18/23 Legislature adopts Resolution 04-18-23 F placing proposed amendments out for forty-five day public comment.
06/13/23 Legislature adopts Resolution 06-13-23 B adopting proposed amendments to the Act.

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06/20/23 Legislature adopts Resolution 06-20-23A which rescinds and restates resolution 06-13-23B with an effective date of July 1, 2023.

APPENDIX A

**HO-CHUNK NATION LEGISLATURE
CONFIRMATION OF [NAME OF NOMINEE] TO
THE POSITION OF EXECUTIVE DIRECTOR OF
[NAME OF EXECUTIVE DEPARTMENT]
RESOLUTION ___ - ___ - ___ - ___**

- WHEREAS,** on November 1, 1994, the United States Secretary of the 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, pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution (“Constitution”) gives the Ho-Chunk Nation Legislature (“Legislature”) the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; and
- WHEREAS,** Article V, Section 2(c) of the Constitution grants the Legislature the power to constitute a Board of Directors for each Department, except the President shall name the Executive Director, subject to confirmation by the Legislature; and
- WHEREAS,** Article V, Section 2(f) of the Constitution grants the Legislature the power to set the salaries, terms and conditions of employment for all governmental personnel; and
- WHEREAS,** Article V, Section 2(i) of the Constitution grants the Legislature the power to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and
- WHEREAS,** Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers; and

WHEREAS, Article VI, Section 2(e) provides “[t]he President shall have the power . . . (e) To nominate the Executive Directors of each Department subject to confirmation by the Legislature except that if a confirmation vote is not taken by the Legislature within ninety (90) days the nomination shall be deemed confirmed.”; and

WHEREAS, the Legislature adopted the *Confirmation Process of Executive Directors of the Ho-Chunk Nation Act* (2 HCC § 9) (hereinafter “Confirmation Act”); and

WHEREAS, Section 2.a. of the Confirmation Act provides “[t]he purpose of this Act is to assist in an orderly transition between Executive administrations through a confirmation process”, “to assist in an orderly confirmation process of an Executive Director whenever an Executive Director position is deemed vacant for whatever reason,” and “to provide a legal process necessary for the Legislature to exercise its legislative powers under Article V, Section 2 of the Constitution to confirm an Executive Director and to set the terms and conditions of employment for all governmental personnel”; and

WHEREAS, Section 2.b. of the Confirmation Act provides [t]his Act shall be applicable to all Candidates, Acting Executive Directors, and Executive Directors.”; and

WHEREAS, Section 5 of the Confirmation Act provides:

a. Confirmation by the Legislature of an Executive Director during a previous Presidential Administration shall have neither force nor effect in subsequent New Administrations nor, in the event that an individual is re-elected as President, shall nominations or appointments remain in force or effect. In both situations, the position of Executive Director shall be considered vacant at the start of the administration.

b. If during an Administration for any reason a confirmed Executive Director is no longer serving as Executive Director of the Department, the position of Executive Director shall be considered vacant.; and

WHEREAS, on [DATE PRESIDENT NOMINATED CANDIDATE] [NAME OF PRESIDENT] presented the nomination of [NAME OF CANDIDATE] as Executive Director of [NAME OF EXECUTIVE DEPARTMENT]; and

WHEREAS, the Legislature held a Confirmation Hearing for [NAME OF CANDIDATE] to serve as the Executive Director of [NAME OF EXECUTIVE DEPARTMENT]; and

WHEREAS, Article VI, section 2, subparagraph (e) of the Constitution states that the Legislature is required to take action with respect to the nomination within 90 days or the nomination shall be deemed confirmed;

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, hereby confirms [NOMINEE] to the Position of Executive Director of [NAME OF EXECUTIVE DEPARTMENT] in accordance with Section 7 of the *Confirmation Process of Executive Directors of the Ho-Chunk Nation Act* (2 HCC § 9).

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certifies that the Legislature of the Ho-Chunk Nation, composed of ___ **members** of whom ___ constituting a quorum were present at a meeting duly called and convened and held that on the ___ **day of** __, **20**___, that the foregoing resolution was adopted at said meeting by an affirmative vote of ___ **members**, ___ **opposed**, and ___ **abstaining**, pursuant to the Article V, Section 2(a) and (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that the foregoing resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.

[NAME OF TRIBAL SECRETARY], Tribal Secretary

Date

APPENDIX B

**HO-CHUNK NATION LEGISLATURE
DENIAL OF [NAME OF NOMINEE]
TO THE POSITION OF EXECUTIVE DIRECTOR OF
[NAME OF EXECUTIVE DEPARTMENT]
RESOLUTION ___ - ___ - ___ - ___**

WHEREAS, on November 1, 1994, the United States Secretary of the 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, pursuant to the Indian Reorganization Act of 1934; and

WHEREAS, Article V, Section 2(a) of the Ho-Chunk Nation Constitution (“Constitution”) gives the Ho-Chunk Nation Legislature (“Legislature”) the power to make laws, including codes, ordinances, resolutions, and statutes; and

WHEREAS, Article V, Section 2(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; and

WHEREAS, Article V, Section 2(c) of the Constitution grants the Legislature the power to constitute a Board of Directors for each Department, except the President shall name the Executive Director, subject to confirmation by the Legislature; and

WHEREAS, Article V, Section 2(f) of the Constitution grants the Legislature the power to set the salaries, terms and conditions of employment for all governmental personnel; and

WHEREAS, Article V, Section 2(i) of the Constitution grants the Legislature the power to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and

WHEREAS, Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers; and

WHEREAS, Article VI, Section 2(e) provides “[t]he President shall have the power . . . (e) To nominate the Executive Directors of each Department subject to confirmation by the Legislature except that if a confirmation vote is not taken by the Legislature within ninety (90) days the nomination shall be deemed confirmed.”; and

WHEREAS, the Legislature adopted the *Confirmation Process of Executive Directors of the Ho-Chunk Nation Act* (2 HCC § 9) (hereinafter “Confirmation Act”); and

WHEREAS, Section 2.a. of the Confirmation Act provides “[t]he purpose of this Act is to assist in an orderly transition between Executive administrations through a confirmation process”, “to assist in an orderly confirmation process of an Executive Director whenever an Executive Director position is deemed vacant for whatever reason,” and “to provide a legal process necessary for the Legislature to exercise its legislative powers under Article V, Section 2 of the Constitution to confirm an Executive Director and to set the terms and conditions of employment for all governmental personnel”; and

WHEREAS, Section 2.b. of the Confirmation Act provides [t]his Act shall be applicable to all Candidates, Acting Executive Directors, and Executive Directors”; and

WHEREAS, Section 5 of the Confirmation Act provides:

a. Confirmation by the Legislature of an Executive Director during a previous Presidential Administration shall have neither force nor effect in subsequent New Administrations nor, in the event that an individual is re-elected as President, shall nominations or appointments remain in force or effect. In both situations, the position of Executive Director shall be considered vacant at the start of the administration.

b. If during an Administration for any reason a confirmed Executive Director is no longer serving as Executive Director of the Department, the position of Executive Director shall be considered vacant.; and

WHEREAS, on [DATE PRESIDENT NOMINATED CANDIDATE] [NAME OF PRESIDENT] presented the nomination of [NAME OF CANDIDATE] as Executive Director of [NAME OF EXECUTIVE DEPARTMENT]; and

WHEREAS, the Legislature held a Confirmation Hearing for [NAME OF CANDIDATE] to serve as the Executive Director of [NAME OF EXECUTIVE DEPARTMENT]; and

WHEREAS, Article VI, section 2, subparagraph (e) of the Constitution states that the Legislature is required to take action with respect to the nomination within 90 days or the nomination shall be deemed confirmed;

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, hereby denies the confirmation of [NAME OF NOMINEE] to the Position of Executive Director of [NAME OF EXECUTIVE DEPARTMENT] in accordance with Section 7 of the *Confirmation Process of Executive Directors of the Ho-Chunk Nation Act* (2 HCC § 9).

BE IT FURTHER RESOLVED that the Legislature, pursuant to its Constitutional authority and consistent with the *Confirmation Process of Executive Directors of the Ho-Chunk Nation Act* (2 HCC § 9) directs that the President shall nominate another candidate for the Executive Director position of the **[NAME OF EXECUTIVE DEPARTMENT]** and shall not be able to nominate the same individual whose nomination was denied as a result of this Resolution, unless as provided in accordance with the Act and this resolution..

BE IT FURTHER RESOLVED that the Legislature, pursuant to its Constitutional authority and consistent with the *Confirmation Process of Executive Directors of the Ho-Chunk Nation Act* (2 HCC § 9) directs that the President shall have twenty-one days to nominate another candidate for the Executive Director position.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certifies that the Legislature of the Ho-Chunk Nation, composed of ___ **members** of whom __ constituting a quorum were present at a meeting duly called and convened and held that on the __ **day of** __, **20** __, that the foregoing resolution was adopted at said meeting by an affirmative vote of ___ **members**, ___ **opposed**, and ___ **abstaining**, pursuant to the Article V, Section 2(a) and (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that the foregoing resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.

[NAME OF TRIBAL SECRETARY], Tribal Secretary

Date