

RESOLUTION NO. 31-68

WHEREAS, the Minnesota Chippewa Tribe is organized under Section 16 of the Act of June 18, 1934 (48 Stat. 984); and

WHEREAS, the former tribal membership ordinance, approved July 3, 1961, and Article II of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe, approved March 3, 1964, provide time limitations within which membership applications may be made; and

WHEREAS, both the ordinance (Paragraph e) and the Constitution provide for the adoption of persons, otherwise eligible, but who "because of an error" have not been enrolled as members of the Tribe; and

WHEREAS, there has been an understandably high frequency of the following reasons cited for failure to file a timely application for membership in the Tribe: (1) An erroneous belief that a child has been enrolled by a census taker, or by Bureau of Indian Affairs or by tribal personnel who were actually making surveys for various other purposes, e.g., welfare, housing, etc.; (2) An erroneous belief that a child born in an Indian Hospital was automatically enrolled; and

WHEREAS, the Tribe has consistently interpreted the "because of an error" clause to mean an error which led to a failure to file a timely application as well as error in a timely filed application and error by tribal employees and the Tribal Executive Committee; and

WHEREAS, the membership of the Tribe may be deemed to have acquiesced in the interpretation given to the ordinance and constitution in that there has been no demand for a referendum either for action taken under the ordinance or the constitutional provision, and

WHEREAS, it now appears advisable that the Tribal Executive Committee now declare and confirm its interpretation of and practice under both the membership ordinance, approved July 3, 1961, and Article II, Section 3, of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe.

NOW, THEREFORE, BE IT RESOLVED, that the words "because of an error" as employed in paragraph (e) of the tribal membership ordinance, approved July 3, 1961, and in Article II, Section 3, of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe, approved March 3, 1964, have been and hereby are construed to mean an error which led to a failure to file a timely application for membership as well as errors in applications and errors by tribal employees and the Tribal Executive Committee.

BE IT FURTHER RESOLVED, that in all future adoption action the error which led to rejection or to failure to file an application shall be noted for each adoptee in the resolution granting membership in the Tribe.

We do hereby certify that the foregoing resolution was duly adopted by a vote of 10 for and 0 against, at a Special Tribal Executive Committee Meeting regarding enrollment, a quorum being present, held on January 11th, 1968, at Bemidji, Minnesota.


Peter Dufault, President
The Minnesota Chippewa Tribe


Pearl Fabre - Secretary
The Minnesota Chippewa Tribe