

RESOLUTION NO. 297(18)

**ESTABLISHING A POLICY AND PROCEDURES FOR
POST-BANISHMENT REENTRY ONTO THE
LAC DU FLAMBEAU RESERVATION**

- WHEREAS,** the Lac du Flambeau Band of Lake Superior Chippewa Indians (“Tribe”) is a federally recognized Indian Tribe organized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934, 25 U.S.C. §461 et. seq.; and
- WHEREAS,** pursuant to Article III, Section 1 of the Lac du Flambeau Constitution (“Constitution”), the governing body of the Tribe is the Tribal Council; and
- WHEREAS,** Article VI of the Constitution sets forth the Powers and Duties of the Tribal Council, and Section 1(a) of Article VI authorizes the Tribal Council to “. . . protect the health, security, and general welfare of the Tribe”; and
- WHEREAS,** Section 1(j) of Article VI of the Constitution authorizes the Tribal Council to exclude from the restricted lands of the reservation persons not legally entitled to reside thereon, under ordinances which shall be subject to review by the Secretary of the Interior; and
- WHEREAS,** the Tribal Council exercises its authority to exclude persons from the restricted lands of the reservation when necessary to protect the health, security, and general welfare of the Tribe; and
- WHEREAS,** it is in the interests of the Tribe that individuals excluded from the reservation due to banishment action not be permitted to enter upon the reservation upon expiration of their banishment terms unless they provide to the Tribal Council sufficient information and documentation to satisfy the Tribal Council that their resumed presence on the reservation will not threaten the health, security and general welfare of the Tribe; now, therefore be it
- RESOLVED,** by this Council, in Reconvened Rescheduled Regular Session assembled, hereby adopts the Policy and Procedures entitled “POST-BANISHMENT REENTRY” with committee, attached hereto and incorporated herein as though fully set forth and shall be effective immediately; be it finally
- RESOLVED,** that said Policy and Procedures shall be applied retroactively to all persons banished prior to the date of this Resolution, and prospectively, to all persons banished following the date of this Resolution.

CERTIFICATION

I, the undersigned, as Secretary of the Lac du Flambeau Band of Lake Superior Chippewa Indians, a tribal government operating under a Constitution adopted pursuant to Section 16 of the Indian Reorganization Act, 25 U.S.C., s. 476, do hereby certify that the Tribal Council of the Band is composed of twelve members, of whom twelve constituting a quorum, were present at a Reconvened Rescheduled Regular Meeting, duly called, noticed, convened, and held on the 31st Day of July, 2018, and that the foregoing resolution was duly adopted at said meeting by an affirmative vote of eleven members (G. Cobb, B. LaBarge, B. Graveen, D. Allen, A. Soulier, J. Johnson, Sr., F. Mitchell, Sr., W. Stone, Sr., S.

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Beson, J. BigJohn, G. Thompson), none against, none abstaining, and that the said resolution has not been rescinded or amended in any way.


Beverly LaBarge, Secretary
Lac du Flambeau Band of
Lake Superior Chippewa Indians