



HO-CHUNK NATION GENERAL COUNCIL

The People of the Ho-Chunk Nation hereby grant all inherent sovereign powers to the General Council

**HO-CHUNK NATION GENERAL COUNCIL RESOLUTION
A RESOLUTION TO MODIFY THE BLOOD DEGREE OF EACH AND EVERY PERSON OF
HO-CHUNK NATION INDIAN BLOOD WHO WAS DULY ENROLLED IN THE HO-CHUNK
NATION ON DECEMBER 31, 1999, WILL NOW BE CONSIDERED A FULL-BLOOD, OR 4/4
BLOOD DEGREE.**

09.16.2023 - *G*

WHEREAS, on November 1, 1994, the Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation ("Constitution"), formerly known as the Wisconsin Winnebago Nation; and

WHEREAS, the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe organized pursuant to the Indian Reorganization Act of 1934; and

WHEREAS, pursuant to Article IV, Section 1 of the Constitution, the People of the Ho-Chunk Nation hereby grant all inherent sovereign powers to the General Council; and

WHEREAS, pursuant to Article IV, Section 1, all eligible voters of the Ho-Chunk Nation are entitled to participate in General Council; and

WHEREAS, pursuant to Article IV, Section 3 (a), the General Council retains the power to set policy for the Nation. This policy shall be resolutions proposed and approved at Annual and Special Meetings, by a majority vote of the qualified voters of the Ho-Chunk Nation General Council. This policy shall be made into laws, including codes, ordinances, resolutions, and statutes by the Legislative Branch of the Ho-Chunk Nation within forty-five (45) days after a majority vote of the qualified voters of the Ho-Chunk Nation General Council at Annual Meetings and Special Meetings. The Executive Branch shall enforce this policy within sixty (60) days of the majority vote of the qualified voters of the Ho-Chunk Nation General Council. In the event that this policy is not enacted by the Legislative Branch or enforced by the Executive Branch within fifteen (15) days of the aforementioned deadlines, the Ho-Chunk Nation General Council shall file suit in the Ho-

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Chunk Nation Tribal Court against elected officials of the Ho-Chunk Nation branch of government. The Supreme Court of the Ho-Chunk Nation shall have original jurisdiction within fifteen (15) days of filing date of suit. [Amendment X adopted on August 14, 2012 which became effective on September 28, 2012 by operation of law.]; and

WHEREAS, pursuant to Article IV, Section 3 (b), the General Council retains the power to review and reverse actions of the Legislature except those enumerated in Section 4 of this Article. The General Council shall return such reversals to the Legislature for reconsideration consistent with the action of the General Council; and

WHEREAS, pursuant to Article IV, Section 3 (b), the General Council retains the power to review and reverse decisions of the Judiciary which interpret actions of the Legislature. The General Council does not retain the power to review and reverse decisions of the Judiciary which interpret this Constitution; and

WHEREAS, pursuant to Article IV, Section 3 (c), the General Council retains the power to propose amendments in accordance with Article XIII, including those which reverse decisions of the Judiciary interpreting this Constitution; and

WHEREAS, pursuant to Article IV, Section 3 (e), the General Council retains the power to call a Special Election; and

WHEREAS, pursuant to Article IV, Section 3 (f), Actions by the General Council shall be binding; and

WHEREAS, pursuant to Article IV, Section 5, and Article VI Section 2 (j), an Annual meeting has been duly called and notice duly given by the President; and

WHEREAS, pursuant to Article IV, Section 7, twenty (20) percent of the eligible voters of the Nation present in General Council shall constitute a quorum; and

WHEREAS, pursuant to Article IV, Section 7, each action of the General Council shall require the presence of a quorum; and

WHEREAS, that the Ho-Chunk Nation General Council recognizes, the Constitution of the Ho-Chunk Nation Article II – Membership:

Section 1. Requirements. The following persons shall be eligible for membership in the Ho-Chunk Nation, provided, that such persons are not enrolled members of any other Indian Nation.

(a) All persons of Ho-Chunk blood whose names appear or are entitled to appear on the official census roll prepared pursuant to the Act of January 18, 1881 (21 Stat. 315), or the Wisconsin

Winnebago Annuity Payroll for the year one thousand nine hundred and one (1901), or the Act of January 20, 1910 (36 Stat.873), or the Act of July 1, 1912 (37 Stat. 187); or

(b) All descendants of persons listed in Section 1(a), provided, that such persons are at least one-fourth (1/4) Ho-Chunk blood.; and

WHEREAS, the Ho-Chunk Nation General Council hereby sets this policy and authorizes that the Tribal Enrollment and Membership Code (2 HCC § 7) be amended to reflect a statute that clearly defines a modification to the blood degree of each and every person of Ho-Chunk Nation Indian blood who was duly enrolled in the Ho-Chunk Nation by December 31, 1999, will now be considered a full-blood, or 4/4 blood degree, to be enacted by the Legislative Branch of the Ho-Chunk Nation within forty-five (45) days after a majority vote of the qualified voters of the Ho-Chunk Nation General Council at the 2023 Annual General Council Meeting, and the Executive Branch shall enforce this policy within sixty (60) days of the majority vote of the qualified voters of the Ho-Chunk Nation General Council; and

NOW THEREFORE BE IT RESOLVED, the Ho-Chunk Nation General Council retains the power to set policy for the Nation, and hereby authorizes the Ho-Chunk Nation Office of the President through the President to propose a Resolution on behalf of the Ho-Chunk Nation General Council to the Ho-Chunk Nation Legislature to amend the Tribal Enrollment and Membership Code (2 HCC § 7) to reflect a statute that clearly defines a modification stating that the blood degree of each and every person of Ho-Chunk Nation Indian blood who was duly enrolled in the Ho-Chunk Nation on December 31, 1999, will now be considered a full-blood, or 4/4 blood degree; and

BE IT FURTHER RESOLVED, that if any term or provision of this Resolution is determined by a court of competent jurisdiction to be invalid or unenforceable such term or provision will be stricken and of no further force and effect, and the remainder of the Resolution will continue in full force and effect;

BE IT FURTHER RESOLVED, that the General Council through the Ho-Chunk Nation Office of General Council and/or Lori Ann Pettibone will have the authority to file suit on behalf of the General Council for all matters of non-enforcement to Ho-Chunk Nation Judicial Branch to ensure that this Resolution is strictly implemented in accordance to the requests defined within this General Council Resolution 09.16.2023 - _ pursuant to the Ho-Chunk Nation Constitution:

Article IV, Section 3 (f), Actions by the General Council shall be binding.

CERTIFICATION

I, the undersigned, as Secretary for the Ho-Chunk Nation General Council, hereby certify that the General Council of the Ho-Chunk Nation, composed of 1698 members, of whom 1256 constituting a quorum were present at a meeting duly called and convened and held on the 16th day of September, 2023, that the foregoing resolution was adopted at said meeting by an affirmative vote of 783 members, 572 opposed, and 79 abstaining, pursuant to the authority of Article IV, Section 3 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.

Aarnela Sh. Spelke September 20, 2023
Secretary Date