



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE EXPRESSING INTENT TO SUBMIT A FEE-TO-TRUST APPLICATION FOR THE BADGER ARMY AMMUNITION PLANT PROPERTY

RESOLUTION 06-17-14H

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

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

WHEREAS, the Legislature of the Ho-Chunk Nation ("Legislature") is the duly constituted governing body of the Ho-Chunk Nation pursuant to the Constitution of the Nation ("Constitution"); and

WHEREAS, Article V, Section 2(a) enables the Nation, through the Legislature, to make laws, including codes, ordinances, resolutions, and statutes; and

WHEREAS, Article V, Section 2(k) of the Constitution of the Ho-Chunk Nation authorizes the Legislature to acquire or purchase lands for the benefit of the Nation and its members; and

WHEREAS, the Legislature enacted Resolution 11-7-00C, which found that the acquisition of real property known as the Badger Army Ammunition Plant ("BAAP") would promote and enhance the Nation's programs and requested that the Bureau of Indian Affairs ("BIA") pursue acquisition of the BAAP property to be held in trust for the Nation;

WHEREAS, the Nation has been working with the BIA, the General Services Administration, and other federal and state entities to effectuate the transfer of the BAAP property to the BIA to be held in trust for the Nation's benefit for more than 15 years; and

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WHEREAS, the BIA has requested an expression of intent by the Nation to submit a fee-to-trust application under 25 C.F.R. Part 151 for the BAAP property to allow BIA and other Department of the Interior personnel continue working on the transfer, specifically issues related to the environmental condition of the BAAP property; and

WHEREAS, the authority for the BIA to acquire the BAAP property, 450 U.S.C. § 450j(f)(3), and its implementing regulations at 25 C.F.R. Part 900, may affect the scope of documentation or other information that the Nation would otherwise be required to submit under 25 C.F.R. Part 151; and

WHEREAS, in addition to efforts to effectuate an administrative transfer of the BAAP property, efforts are also ongoing to transfer the BAAP to the BIA in trust for the Nation through an act of Congress.

NOW THEREFORE BE IT RESOLVED, that the Ho-Chunk Nation Legislature hereby expresses the Nation's intent to submit a fee-to-trust application to the BIA pursuant to 25 C.F.R. Part 151 for the approximately 1553 acres of BAAP property; and

BE IT FURTHER RESOLVED, that nothing in this Resolution obligates the Nation to submit any documentation or other information to the BIA that is precluded by applicable laws or regulations, including, but not limited to, 450 U.S.C. § 450j(f)(3) and its implementing regulations at 25 C.F.R. Part 900, nor does this Resolution obligate the Nation to submit any fee-to-trust application for the BAAP property if Congress enacts legislation providing for a legislative transfer of the BAAP property, or if passage of such legislation appears imminent.

CERTIFICATION

I, the undersigned, as Tribal Secretary of the Ho-Chunk Nation Legislature, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 13 constituting a quorum were present at a meeting duly called and convened and held on the 17th day of June, 2014, that the foregoing resolution was adopted at said meeting by an affirmative vote of 7 members, 4 opposed, and 2 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.

Kathleen Lone Tree-Whiterabbit
Kathleen Lone Tree-Whiterabbit, Tribal Secretary

6.17.14
Date