



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE

RE-AFFIRMATION OF SUPPORT FOR *KEECAK*, BELOIT GAMING PROJECT

RESOLUTION 07-12-22 D

- 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 organized pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Constitution grants the Legislature the power to make laws, including codes, ordinances, resolutions, and statutes; 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(k) of the Constitution authorizes the Legislature to acquire or purchase lands for the benefit of the Ho-Chunk Nation and its members; and
- WHEREAS,** Article V, Section 2(l) of the Constitution grants the Legislature the power to enact laws to manage, lease, permit, or otherwise deal with the Nation’s lands, interests in lands or other assets; and
- WHEREAS,** Article V, Section 2(s) of the Constitution authorizes the Legislature to promote the public health, education, charity, and such other services as may contribute to the social advancement of the members of the Ho-Chunk Nation; 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; and
- WHEREAS,** the Nation is owner of Trust land constituting approximately 32.06 acres in Beloit, Wisconsin, located in Rock County, Wisconsin (hereinafter referred to as “Keecak” or “Beloit Lands”); and
- WHEREAS,** the land comprising Keecak was purchased in Fee by the Nation in September 2009; and

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- WHEREAS,** the Keecak land has historical significance to the Nation, in that the Nation can trace village sites and archeological findings to the area; and
- WHEREAS,** the Keecak land was purchased in order to provide benefits to the Tribe and its members in the areas of economic development and diversification in order to enhance the Nation's sovereignty, while also preventing other tribes from taking advantage of the Nation's aboriginal lands; and
- WHEREAS,** prior to the Nation's ownership of the Beloit Lands, two northern Wisconsin Indian tribes had options on the same land and sought to have the land taken into federal trust through the U.S. Department of Interior to allow them to conduct gaming through the Indian Gaming Regulatory Act; and
- WHEREAS,** by Resolution 6-19-07E, the Ho-Chunk Nation Legislature declared that, if the U.S. Department of Interior denied the request of the two northern Wisconsin tribes, the intent of the Nation was to pursue acquisition of the Beloit Lands for the purpose of conducting gaming on behalf of the Nation under the IGRA and as the Nation's fourth site under its Tribal-State Gaming Compact; and
- WHEREAS,** the Legislature initially requested that the Beloit Lands be acquired in trust by the United States for the Nation through Resolution 03-20-12F; and
- WHEREAS,** subsequent to the adoption of Resolution 03-20-12F, a revision was made to the land survey for the Beloit Lands due to a portion being transferred out of ownership for a Wisconsin Department of Transportation highway project, which resulted in a change to the total acreage from 32.7 acres to 31.87 acres; and
- WHEREAS,** through adoption of Resolution 2-19-19F, the Legislature rescinded and restated Resolution 03-20-12F to clarify the total number of acres and legal description of the Beloit Lands, for the purpose of the Fee-to-Trust application (to 32.7 acres), while also affirming the Nation's intent to conduct gaming under the IGRA on the Beloit Lands; and
- WHEREAS,** in March 2012, the Legislature of the Nation, the duly authorized tribal entity to make tribal land determinations, requested that the Secretary of the Interior, Bureau of Indian Affairs, approve the transfer of title of the Nation's Beloit Lands to the United States of America to be held in trust for the benefit of the Nation for gaming purposes under 25 C.F.R. Part 151 and 25 C.F.R. Part 292; and
- WHEREAS,** the Nation intended to pursue the development of gaming and gaming-related facilities on its Beloit Lands under the provisions of the Indian Gaming Regulatory Act (IGRA), 25 C.F.R. Part 151 and 25 C.F.R. Part 292, in order to provide benefits to the Nation, its members and tribal government; and
- WHEREAS,** for the years leading up to the Nation's application for gaming fee-to-trust, and since then, the Legislature has adopted resolutions, and approved funding, in furtherance and support of a gaming project in Beloit; and

- WHEREAS,** in 2019, with an incoming new Presidential Administration, the Legislature sought to re-affirm its previous Resolutions and the Nation’s intent to pursue the Keecak Fee-to-Trust approval for the purpose of gaming under the IGRA, and as the Nation’s fourth site under its Tribal-State Gaming Compact; and
- WHEREAS,** the Legislature adopted Resolution 9-03-19C and affirmed the support for the Beloit gaming project, while discussing the same with the President at a Legislative meeting on September 3, 2019, wherein the Executive Branch expressed support for the Keecak project; and
- WHEREAS,** in April 2020, the Department of Interior issued a Secretarial Determination that the Nation’s application to have Keecak taken into trust, and conduct gaming thereon, was in the best interest of the tribe and not detrimental to the surrounding community; therefore, the Department of Interior requested that the Governor of Wisconsin review the federal decision and give his concurrence pursuant to 25 U.S.C. §2719(b)(1)(A) of the Indian Gaming Regulatory Act (“IGRA”); and
- WHEREAS,** around the same time, the Legislature adopted Resolution 3-12-20A and declared a state of emergency for the Nation , in response to a global outbreak and pandemic of the novel coronavirus (“COVID-19”), for which the United States President and Governor of Wisconsin declared a state of emergency; and
- WHEREAS,** the Nation put measures in place to protect tribal members, communities, employees, and patrons, including travel restrictions, limitations on gatherings, and the implementation of federal recommendations to stop the spread of COVID-19; and
- WHEREAS,** the Nation temporarily closed its gaming operations, while also laying off many employees, as COVID-19 impacted the economy across the United States and Indian Country; and
- WHEREAS,** as the Nation’s response continued, and further coordination took shape within the Nation’s government, and with federal/state jurisdictions, the Legislature adopted Resolution 4-28-20B, as a continued declaration of state of emergency; and
- WHEREAS,** on March 24, 2021, Governor Tony Evers concurred in the federal Secretarial Determination, giving authorization for the Nation to conduct gaming under the IGRA at the Keecak site; and
- WHEREAS,** on May 12, 2022, the Assistant Secretary for Indian Affairs, Bryan Newland, approved the fee-to-trust acquisition for the Nation, to acquire the Keecak property in trust, making the Nation eligible to conduct gaming pursuant to Section 20 of the IGRA; and
- WHEREAS,** on May 26, 2022, a Notice was published in the Federal Register by the Department of Interior, to memorialize the approval of the acquisition of 32.06 acres in trust for the Ho-Chunk Nation to conduct gaming at the Keecak site; and
- WHEREAS,** as the federal and state governments were considering approval of the Beloit fee-to-trust application, the Nation was recovering from the pandemic and maintaining its economy with reduced budgets and expenses; and

WHEREAS, in light of the above-noted approvals, the Nation is now fully poised to develop and conduct gaming on its Keecak lands in Beloit, Wisconsin; and

WHEREAS, the Legislature adopted Resolution 9-03-19C to affirm support for the Beloit Gaming Project, which also called upon the cooperation and commitment of the Executive Branch of the Nation and work together to move the project forward; and

WHEREAS, the Legislature now finds it appropriate to re-affirm the support expressed in Resolution 9-03-19C, as the Nation continues to recover from the pandemic and improve its financial position; and

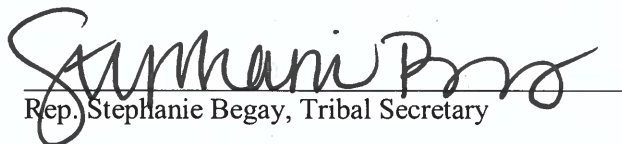
NOW THEREFORE BE IT RESOLVED that the Legislature pursuant to its Constitutional authority, hereby re-affirms its previously adopted positions and declarations, stated by resolution, regarding the Keecak site and the Nation's intent to pursue gaming under the IGRA, on behalf of the Nation and its members, and to do so under the Nation's Gaming Compact; and

BE IT FURTHER RESOLVED that as the Nation considers the development and planning for the Beloit Gaming Project, it will do so based on economic considerations and overall financial position of the Nation; and

BE IT FURTHER RESOLVED that the Legislature affirms its commitment to work with the Executive Branch of the Nation on the Beloit Gaming Project, while also calling upon the cooperation and commitment of Executive Branch of the Nation to do the same and present a united position on behalf of the Nation, keeping in mind financial ability and stabilization.

CERTIFICATION

I, the undersigned, as Secretary of the Ho-Chunk Nation Legislature, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members** of whom **12** constituting a quorum were present at a meeting duly called and convened and held on the **12th day of July, 2022**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **11 members, 0 opposed, and 1 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.


Rep. Stephanie Begay, Tribal Secretary

07.12.22
Date