



Fond du Lac Band of Lake Superior Chippewa Reservation Business Committee

Chairman Kevin R. Dupuis, Sr. Secretary/Treasurer Robert Abramowski
District I Wally J. Dupuis District II Brad Blacketter District III Roger M. Smith, Sr.

RESOLUTION #1077/24

SUPPORTING AMENDMENTS TO THE MINNESOTA INDIAN FAMILY PRESERVATION ACT

- WHEREAS, the Fond du Lac Band of Lake Superior Chippewa are a sovereign people, who occupy the Fond du Lac Reservation and retain their aboriginal rights of self-government and self-determination pursuant to the Treaty of LaPointe of September 30, 1854, 10 Stat. 1109; the Indian Reorganization Act of 1934, 25 U.S.C. § 461 et seq.; the common law of the United States; and as recognized by the United Nations Declaration on the Rights of Indigenous Peoples of September 13, 2007; and
- WHEREAS, The Band's Reservation Business Committee ("RBC"), the duly elected governing body of the Band, is responsible for advocating for the health and welfare of Indian children and family within the boundaries of the Fond du Lac Reservation; and
- WHEREAS, the Minnesota Indian Family Preservation Act ("MIFPA") was enacted by the Minnesota Legislature in 1985 and amended in 2015 and 2023 and the purpose of MIFPA is to protect the long-term interests of Indian children, their families, and Indian tribes and to preserve Indian families and tribal identity; and
- WHEREAS Testimony from members of the RBC, other Tribal leaders, and Tribal members during the 2023 legislative session made clear a need for additional amendments to improve practice in Minnesota Courts on custodial issues involving Indian children; and
- WHEREAS, since 2018, a group of tribal attorneys, tribal staff, and ICWA allies, and including Band representatives (collectively referred to as the "MIFPA Workgroup"), have been drafting amendments to MIFPA; and
- WHEREAS, the MIFPA Workgroup engaged with various stakeholders including, but not limited to, the Minnesota Department of Human Services, the Minnesota Association of County Social Service Administrators, the Minnesota County Attorneys Association, the Association of County Attorneys, and the Association of Minnesota Counties; and
- WHEREAS, the MIFPA Workgroup recently finalized language that would again amend MIFPA, specifically to further compliance in areas of the law outside of child protection, to clarify and deconflict statutory language, to strengthen existing provision, to clarify the role of foster parents in MIFPA proceedings, and to provide remedies and consequences in cases in which invalidation occurs.

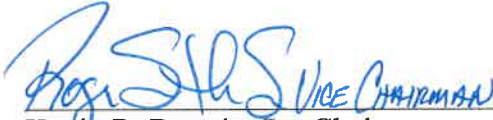
NOW THEREFORE BE IT RESOLVED, that the RBC of the Fond du Lac Band of Lake Superior Chippewa supports amending MIFPA to incorporate the language drafted by the MIFPA Workgroup; and

BE IT FURTHER RESOLVED, that the Fond du Lac Band of Lake Superior Chippewa strongly urges the Minnesota Legislature to move swiftly on the language created by the MIFPA Workgroup to amend MIFPA to ensure that MIFPA is strengthened and better serves the needs of Indian children and families; and


BE IT FURTHER AND FINALLY RESOLVED, that the Fond du Lac Band of Lake Superior Chippewa strongly urges Governor Walz to support this critically important effort.

CERTIFICATION

We do hereby certify that the foregoing Resolution was duly presented and acted upon by vote of 3 for, 0 against, 0 silent, with a quorum of 4 being present at a Special Meeting of the Fond du Lac Reservation Business Committee held on February 20, 2024 on the Fond du Lac Reservation.



Kevin R. Dupuis, Sr., Chairman



Robert Abramowski, Secretary/Treasurer