

MCT CONSTITUTIONAL REFORM DRAFTING COMMITTEE

Date: 3/26/24 Time: 6 PM

Facilitator: Carol J.

Present: Raymond B., Julie H-C., Marcie M., Sally F., Jean S-L, Gerard W.

NEW BUSINESS

1. Raymond B., Carol J., and Marice M. attended the 3/25/24 meeting at White Earth. The following items were on the agenda:
 - What is the recommendation for the TEC going to be? White Earth wanted other options besides 32-15 on the ballot.
 - White Earth was asked to make a list of options to be discussed at the next convention. The list and idea should be sent to the Facilitation Committee.
 - Carol J. said she sent an option to them and requested time on the convention agenda to speak about the Treaty of 1847.
 - Marcie M. said that the referendum questions were unclear.
 - Consensus or Majority Vote discussion will be on the next convention agenda. Cheryl E. asked everyone to review her e-mail that contained the minutes from the October 2022 convention discussion. Cheryl E. sent the Super-majority Vote Stands on March 19, 2024.
2. We need to be proactive about all these issues the TEC is bringing up.
3. Sally F. suggested that we get away from using “Indian,” “Tribes,” and “Bands” and use Nation.”
4. Carol J. shared some research about the historical use of blood quantum.
 - The very beginning of the history of our ancestors revealed that they were inclusive. They included relatives and the members of their clans, villages, etc., who were mixed blood.
 - None of the Treaties used the concept of percentage of blood to describe the people. The language in the treaties spoke of “mixed,” “full,” and “half.” Never a percentage. The language in the Treaty of 1847 specifies that “half and mixed blood shall be considered Chippewa.”
 - The government uses “half” and “mixed-blood categories to determine who could participate in treaty negotiations, receive benefits, annuities, and land, and is competent to sign agreements and contracts. The government also used these terms to determine who could not access their funds and land. Initially, the mixed-bloods were determined to be incapable. However, later in history, the government determined that the full-bloods could not sell their land, but the mixed-bloods could.

- The courts spoke of the Crimes Act in terms of Indian and non-Indian, and when discussing enrollment issues, the courts spoke of whose bloodline, the father or the mother, without mentioning blood quantum.
 - With the 1934 IRA, the federal government encouraged tribes to use a person's Indian blood percentage to determine their membership eligibility. Even then, our ancestors stood their ground, and the Origin Constitution had lineal descent, not blood quantum.
 - As early as the 1940s, the government suggested 1/4 BQ and tied it to benefits. Our citizens were against it. The secretary would not approve the request to keep lineal descent. This led to the change to 1/4 BQ with the amendment to the Constitution 1964.
5. Sally F. pointed out that we should get rid of all the racist labels that hold us under restraint, like "Indian," "Tribe," etc., and use the word Nations. Carol J. pointed out that "Nation" is consistent with our Treaty language.
 6. Gerald W., in past meetings, suggested that recalling a person from the office takes a recall vote equal to the number of votes or more that the person was elected. This suggested language was included in the draft of the Recall, Removal, and Vacancy document. The drafting committee suggested that we research where that idea came from. Carol J. noted that she has seen it used in Business but will check for other resources. Gerald said the elected offices have that rule in the federal and State governments.
 7. Regarding Elections, Marcie M. said that often, off-reservation members' votes determine issues that only relate to what is going on at the reservation level and those things that affect the daily life of those who live there. Although social media has gotten better information, they are informed. Marcie stated that she sees both sides. The off-reservation members shouldn't be disenfranchised, but they don't live here to know the uniqueness of living on the reservation. Raymond B. responded that these were the reasons that people were fighting against absentee ballots. Initially, the absentee ballots were for people in the armed forces, away at school or in a hospital. Sally F. agreed, and this needs to be changed. Carol J. suggested that the voting could be changed in the local constitutions.
 8. Another subject to review, because none of the committee members were present last week, is the chart on which articles stay in the Alliance and which should be in the Local Concituitions.
 9. Carol J. and Marcie M. were concerned about how each separate band relates to the whole new structure.
 - Local Constitutions and governments have to be based on and consistent with the principles in the Alliance Document.
 - Local ordinances, codes, or laws will be specific to each community.
 10. Raymond B. stated that the bands have to deal with money management separately. Sally F. agreed that the LIC on their reservation would handle all the government and business issues.

11. Carol J. Spoke on the issues of Alliance Article XI Citizenship. The bottom line is that enrollment has to be based on the Chippewa bloodline.
12. Sally F. mentioned that anyone with a tribal ID can, for \$40, become a member of the National Congress American Indian group.
13. The big challenge is how to blend all these structures. Carol J. still needs to work on Tradition and Custom Dispute Resolution.
14. Marcie M. asked about the list of questions Mille Lacs Band. We need to put this to rest and come together as a Nation. Treaties supersede legislation. Carol summarized the conversation with Berdie R. in last week's minutes.

Next meeting: 4/2/2024 at 6 PM