MCT Constitution Reform Convention
Minutes May 16, 2025
Hosted by Bois Forte

IN-PERSON: Cheryl E., Donavon S., Sally F., Millie H., Toni W., Karen D., Michele B., Eva W., Dawn G., Louis J., Emily A., Christina B., Christian A., Tracey D.

PRESENT ON ZOOM: Carol J., Marcie M., Wayne D., Karen D., Carlos H., Sybil G., Sandra B. Patty S., Mykee B. Fawn R., Tracey D.

ROLL CALL: Bois Forte, Grand Portage, Leech Lake, Fond du Lac, & White Earth

HOUSEKEEPING:

- The approved Process Motion-Visual Below is attached to the agenda.

CONVENTION MEETING SCHEDULE:

- June 24, 2025 -Leech Lake -Urban
- July 18, 2025-White Earth
- August 15, 2025-Fond du Lac
- September 19, 2025, Grand Portage
- October 17, 2025-Leech Lake
- November 21, 2025-Bois Forte
- December 2025-No meeting

SUPERMAJORITY:

- The question is, what if only five of the six of us are now voting? How do we get consensus?
- Rules for Consensus and Majority vote reviewed
    - Vote by reservation, one vote each;
    - If there is no consensus, each delegate who disagrees will have up to 3 minutes to speak on issues.
    - Vote by band, one vote each (could be majority at the band level);
    - If there is no consensus, go to Super Majority Vote by band (1 vote each)
- Deb T. disliked a time limit of three minutes because it sounded "pretty colonized." The group discussed this issue and noted that the three-minute time limit was to decide because, in the past, people would go on and on, and the delegation could not get their business done. But if someone needed more time, they would not be cut off at three minutes.
- Patty S. interjected that White Earth will not participate in any MCT voting due to Mille Lac not being in the process. She said they struggle as a group because the White Earth delegates do not fully represent their reservations at these meetings. They have to get back to their citizens and inform them. White Earth will vote on small decisions like the

education curriculum but will not vote on an alliance document or any other big decision without their White Earth members' input.

- Now that Mille Lac and White Earth are not voting, the group noted that it leaves 4 of the six voting, so the supermajority is 3 out of 4, and each band gets one vote.
- Wayne noted that if delegations decide not to represent their citizens in a vote, that is their choice, but the other bands still can vote. It is like "taking my ball home, and I'm not playing anymore." He expressed his wish that we could all work together to get things done; otherwise, it would be very slow. Voting is the avenue to make things move. We need to participate. Say "yes" or "no," but participate.
- Cheryl E. noted that if four bands vote and Mille Lac and White Earth do not, it doesn't mean they are not part of the decision. Like the letter to the TEC, four signed. She also asked what would carry the vote if two bands decided not to vote. If we have an affirmative vote to move forward, that is all we are voting to do: move an action forward. Three bands get to vote for all of us. We are all one delegation. Do you not want to vote? It leaves the three of us to decide for all of us that is not right.
- Carol J. stated that the ultimate decision goes to the citizens. But if we don't have a vote by supermajority, we're stuck. We are trying to get something for the citizens to vote on. The supermajority is three.
- Michelle B. responded that she understands the side of wanting to be able to move things forward and work together. Still, she is also a strong proponent of each band being able to have their voice if you're going to make a policy and put it forward; say, three of the bands voted yes for this, so all six agree. That's not right. You don't have the right to put something forward and say all agree if we at Grand Portage are opposed to something because even if they voted no, they now agree because three other bands outvoted them. That's not the way we work. No vote. There's a "no" vote. If two bands aren't voting, you're saying they agree with us because they didn't vote. That's not our way. Nobody wants somebody speaking for their band. That's why we were initially on the consensus. She suggested that we find something to like with the last report or the policy statement where it's like these bands agreed, these dissented. There's nothing wrong with representing that as the truth. If you say that because they voted no or they all voted, that somehow they now agree is a misrepresentation, and it's actually a lie.
- Michelle B. also stated that she understands not wanting to enter into this process when Mille Lac is not having a vote. They're choosing not to. She understands both sides. We have to make decisions, and we'll never be able to move forward if nobody votes. We're just going to be dead in the water. She questioned whether it was in specific categories. She likes the idea of moving forward and knows you always want one united voice, but we have to accept we're never going to be that. Two and a half, three years of whatever we've been doing, this should have proved to us by now that we all have different needs. We all have different needs, ideas of what's right for our reservation, and the direction we think we should be going. At the end of the day, it's going to be full membership that decides. So, she doesn't see a problem with each of us having our idea of how things should go forward. We agree with this one. We don't agree with that one. There's nothing that's where we're going to be. You're all going to be making your own rules. We're not all going to be one unified thing. So why are we trying to make it worse now?

We can still discuss models, policies, and ideas, and we just presented them. This band said "yes," and this band said "no." That's how that's how we present things to the TEC. You don't have to present just one idea. We can let them know that there are multiple ideas out there. And these bands agree, but these don't. They'll take it back to their communities.

- Another delegate stated that we could also say they abstained if you don't want to vote either yes or no.
- Sally F. noted that this had happened once before when Bois Forte wasn't at the table. We had lots of different things happen to us as we went about our voting. She suggested that we save up those votes until the bands present themselves to vote.
- Deb. T. suggested that the votes are documented where each band stands on an issue.
- Emily restated White Earth's stance that on small things, they will vote, but on the big issues, we need to have all of the bands present.
- Carol J. noted that from the drafting committee's point of view, we were told to go forward with an alliance as the umbrella document and local constitutions. Still, sometime in that process, there was talk about modifying the current constitution to remove the Secretary of Interior (SOI). So, we drafted that, removing the SOI from each article and proposing that. Then we were told there wasn't an agreement to an alliance document. We're working on another proposed model that will be presented this afternoon. This process has taken a little over three years. We have to come to some sort of decision on a model because there are so many other things attached to it that we have to make decisions on. We can't keep going on like this.
- Sally F. said she enjoyed seeing the models but clarified that Leech Lake had already decided they were done. They are sending their local constitution to an advisor to fix it from a legal point of view. They will carry on and ask TEC to remove the SOI because we can and will even if the SOI is in the MCT constitution; as a tribal sovereign nation, Leech Lake will follow through with its constitution. They don't feel like the MCT is tied to them anymore. Leech Lake might unifiy under another model because that was the task we were working on from the beginning.
- Marcie M. noted that she is on the drafting committee, and we've done a tremendous amount of work that we presented to the entire delegation. Some of it has been revised to suit different bands' needs. She is concerned that we haven't gotten a vote on any article we've written, and we've removed quite a bit; we've removed about seven-eighths of it as the different bands are writing their constitution. We need to vote to move forward, or we are at our wit's end, not knowing what to do because nothing has been approved, and a lot of this stuff needs to be approved. It has to be read; if you don't like any of it, that's fine. We'll rewrite it, but at least tell us what you don't like, tell us what you want. We will bring up an alternative if you have an issue with something. We have to vote on the various sections of the draft to keep going.
- Sandra B. provided these facts: The US Constitution was written in 116 days, and one of the contributing factors was that our founding fathers were away from home. Therefore, they were anxious to return home, so they wrote it to help expedite it. They had done a lot of homework, had many documents, knew their history, and had models

from Greece and Rome. Another example is with the conclaves to elect popes. At least twice in the history of papal elections, they locked the electors up in a room until they made a decision. Once, they wouldn't even feed them until they started to decide. Sandra felt that part of our problem is that every time we get new members to new delegates, we seem to go back two steps because we must bring them up to speed regarding where we've gone. So it's always evolving. We need to put some boundaries around ourselves or give ourselves some goals that we will do something by a certain time, or at least know our priorities in the first couple of meetings of this delegation; we did set priorities.

- Carol J. voiced her opinion because we do not have to vote on our local constitutions, which is up to each nation to write precisely what they want. We are stuck on the things we have to vote on. We have the Revised MCT Constitution. That has to be dealt with. It needs to be revoked. Initially, we were asked to write an alliance document to keep us together under some common interests and goals. We're at a stage where we need to go through it again. After the last review by the whole delegation, it was revised, and it has to be reviewed again, maybe next month. Another model, an umbrella constitution, will be presented this afternoon.
- Michele B. refocused the group on the voting issue and suggestions:
    - We have consensus
    - Vote, but then list how each delegation has voted. So even if it's a positive vote, list those who dissented with a "no" and those who were absent.
    - Vote on "big issues" when all bands are present. Quarterly, if Mille Lacs attends.
    - Vote for consensus when all six bands are present. If there is no consensus, go to a supermajority of six.
- Louie J. suggested that if there is a major decision, put it on the floor, take it back to the people and see what they say, then discuss it at the next meeting and have a vote.
- Cheryl E. noted that is the way we have it set up. When we set up these agendas, there it is. There's your assignment. Take it back to your people and get it done. So when you come to the convention, you have the answer. That's your job.
- Sally F. suggested that if there are six bands present, we vote. If there are not six bands present, we can't vote.
- Cheryl E. stated that we only need to have this discussion about the supermajority finalized. And that's all there is to it. We don't need to vote on it again. But we need to all have the same understanding of what it is.
- Millie H. said That the supermajority is if six bands are present and the supermajority is five out of six. If there's four presents, it's three out of four.
- A delegate spoke up and said," No."
- Millie H. corrected her statement to all six bands voting. Five out of six would be a supermajority.

REVIEW TEC MEETING on May 5-6, 2025

- Cheryl E. noted that not a lot happened among the subcommittees concerned about us at this meeting. At the TEC meeting, each band read their report, and we read that short letter that four of the delegations agreed on. The TEC heard many of us asking for the removal of SOI from Article XII-Amendment. She noted the following:
    - We revived it because they hadn't considered it for six months. But since we brought it up, the new executive director has been in place for several months. TEC directed Attorney Phil Brodeen to get back on that schedule of meetings to get this done.
    - Phil said he would work on that, writing a new memo with the meeting dates.
    - Phil also reminded the TEC members that their RBC needs to appoint a couple of people to this new ad hoc committee. Phil did say in our meeting last fall that he would advocate for delegates to be able to sit on that committee with them.
    - Neither TEC nor RBC has done anything.
- Cheryl E. also stated that the other thing happened because we had written about the 30% issue in that consolidated letter. Phil again informed the TEC that they have two choices for that 30%. They do need to tell the bia what their interpretation is. The two choices are to go with what's written in the Constitution or with registered voters.
- Cheryl E. stated that the TEC said they have been waiting for the delegation to give them the language on the referendum question. To put it for a Secretarial election. The TEC expects us, the delegates, to write the language to remove blood quantum. This needs to go on our work agenda. She didn't know which committee should be dealing with that or if we should deal with it as a whole, but we need to write the language and make a recommendation to the TEC for them to move forward. They're not going to do it.
- Sally F. said she went to the legislative committee meeting subcommittee meeting for the first time, and we gave them the information from the letter. We let them know how very important it is that they do their job. Then, on the second day, we actually got up there and did the same thing. We did all of our reports separately and told them that they needed to remove the SOI so we could move on. She reported that we have already done the language for eliminating the SOI, and we already have a model in place, which we presented in October to a lawyer, Phil, who has information about an oversight committee.
- Carol J. noted the Drafting Committee never provided the document given to the TEC by Leech Lake. The Grand Council was not the correct document from the drafting committee. What was given was a Grand council written for a proposed governing body, not an oversight /liaison Council.
- Patty S. asked for clarification about what Kevin D., the prior President, stated.
- Michelle said 30%, and the use of registered voters came up. An example was that if only three people registered but only one registered person voted, the percentage would be 30%. That one person decides for everybody.
- Carol J. noted that Kevin D. said we can strengthen the current constitution through ordinances or resolutions to get things done. She disagrees with this interpretation., stating that the way to strengthen the Constitution is to follow it. She said we should get

rid of it rather than strengthen it. The new enrollment ordinance to include Red Lake blood was an attempt to strengthen it, but now we have two definitions of Minnesota Chippewa Indian Blood. One is in the new ordinance, and another is in 32-15 Resolutions.

- Cheryl stated that we couldn't have both definitions; the 32-15 needs to be rescinded if they want to keep the Enrollment Ordinance language. Or vice versa.
- Wayne said that regarding strengthening the current constitution it was not organic. It was not ours to begin with. It was imposed on us. The people did not create it. The current MCT constitution was developed under the IRA, and it reflects federal-style governance, not Anishinaabe values or governance, and rewriting allows for self-determination. It is a colonial framework. We need to rewrite the Constitution, not adjust the current one. We need to own it. That way, we won't face the kind of apathy that we've gotten from our constituents. So, let's move forward and rewrite this thing.
- Sally said Leech Lake found a loophole to make it happen. It is not unconstitutional to do that. It is constitutional. We went with the constitution, followed all the rules, found a loophole to our advantage, and showed everybody else how you may, too.
- Donavon said Leech Lake would repeatedly do the same thing to get things done there. The TEC is violating the constitution by letting things happen, and bands, including Leech Lake, will continue to do things the TEC will allow. Leech Lake will keep pushing boundaries as long as this dumbass constitution binds us. And if you guys want to do it, I'm not trying to condone anarchy or anything, but Mille Lacs said it is taking too long. We're going to do what we have to do, which is exercise sovereignty.
- Cheryl summarized, noting we have three things to do:
    - Get TEC to define in writing what they mean by 30 %.
    - The delegates need to write the language for the Secretarial election on the 2022 referendum.
    - TEC must decide on their definition of Minnesota Chippewa Indian blood. Recind 32-15 Resolution because they already approved the definition in the new Enrollment Ordinance, changed to include Red Lake Blood.
- Carol suggested that we get started on the language for the Secretarial election for the referendum and that each band should write the language they think should be the question of the ballot and send it to the drafting committee, who will attempt to write a draft of the question for the ballot. The whole delegation will review it next month at the convention. There is a little more to writing this question. Things to think about:
    - How will each band address their enrollment, blood quantum, or lineal descent?
    - Like White Earth suggested, will bands use blood quantum and phase in lineal descent?
    - Have an umbrella constitution based on the citizenship of the Chippewa Indian bloodline.
- Cheryl noted that we need a due date on this task. There are only three months until the next TEC meeting. The TEC meeting is in July. Is it something we have to vote on? There were two questions. The second question on the referendum was about letting the whole thing, allowing each band to determine their membership by ordinance. It's up to

each band to interpret it. We have a process to go through, so we must write a draft of the one question for the Secretarial election and bring it to the TEC in October. The language you will be writing is based on the two referendum questions that were asked. Those two questions are posted on the fdlconstitution.org.

- Sally F. suggested that we tell the TEC that we want them to write and send our committee what exactly you want from us.

FINANCE COMMITTEE-BUSH GRANT UPDATE:

- Cheryl reported that the committee is reviewing suggested language from three sample grants submitted to the committee. We still need to be determined who's fiscally responsible for it.
- Bois Forte's new member, Toni W., volunteered to be on the Finance Committee.
- Wayne D.'s version of the grant language was screen-shared, and reviewed.

EDUCATION COMMITTEE UPDATE: RESULTS OF MEMORANDUM TO TEC-REMOVING THE SECRETARY OF THE INTERIOR:

- Cheryl noted that she had trouble setting up meetings; no one responded or attended. The committee is still completing the 15 flyers related to the articles in the constitution, but those members have not responded either. The committee did flyers on blood quantum and one on Sovereignty.
- Toni W. volunteered to sit on the Education Committee.

DRAFTING COMMITTEE UPDATE MODEL #1 & #2; TRANSITION AND SECRETARY OF THE INTERIOR:

- Chart Comparing the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe and Proposed Language for an Umbrella Constitution Model #1.
- Model #2 Alliance Document and six Local Constitution.
- The two models and the attachment, Code of Conduct, Ethics, and Conflict of Interest, are posted on fdlconstitution.org.
- General Comments:
    - Model #2 would have to have an oversight liaison council.
    - Each nation shall determine the governing structure. Each nation will determine its business structure.
    - Because the IRA Constitution does not recognize traditions, culture, and governing practices passed down by our ancestors, the requirements of oversight approval and veto in the Secretary's power have diminished our sense of Sovereignty and the right of self-determination.
    - In implementing their programs, the MCT organization does not acknowledge these traditions culturally or consider the impact on citizen rights, the rights of nature, and sustainability. So, it suggested that if we use model #1 as the umbrella constitution, we still want to recognize, endorse, or incorporate the alliance

model #1. The Alliance reflects the issues of tradition, culture, and many other issues that will bring us into the future and strengthen our Sovereignty and self-determination while protecting our own values and resources.
    - The drafting committee suggested a panel of judges. No TEC and resolution 180 will be rescinded when the IRA constitution is revoked. A panel of judges would have the authority to give opinions on, but not limited to, issues about enforcing Sovereignty, interpretation of the constitution, treaty rights, and appeals.

CHAT: Regarding 2022 Referendum

- **PROPOSED AMENDMENT TO ARTICLE II – MEMBERSHIP**
    - "Shall the Minnesota Chippewa Tribe Constitution be amended to remove the requirement that a person must possess at least one-quarter (1/4) degree of Minnesota Chippewa Indian blood in order to be eligible for membership, and instead allow for membership by lineal descent from an original enrollee?"
        - Wayne D. noted that if the intention is to allow each band to establish its own enrollment criteria, that could be written as a separate or alternative question:
    - "Shall the Constitution of the Minnesota Chippewa Tribe be amended to allow each of the six member Bands to establish its own membership criteria by Band ordinance, instead of being required to follow the Tribal-wide standard of one-quarter (1/4) degree Minnesota Chippewa Indian blood?"
    - Optional Preceding Instruction for the Ballot:
        - INSTRUCTIONS TO VOTERS:
            - Vote YES if you approve amending the constitution to eliminate the 1/4 blood quantum requirement and replace it with lineal descent from an original enrollee.
            - Vote NO if you want to keep the current requirement that a person must possess at least 1/4 Minnesota Chippewa Indian blood to be eligible for membership.
- Wayne D. Explanation of Language:
    - "Remove the requirement…" – this makes clear what is being deleted from the constitution.
    - "Membership by lineal descent…" – this provides a replacement standard that was supported in the referendum.
    - "Original enrollee" – refers to those listed on the 1941 base roll, which is the foundation of current MCT membership.

Discussion about what we call ourselves: Nations, bands, reservations, tribes

- A speaker from Sandy Lake asked for some clarity on the terminology. Are you a band? Are we a reservation? Are we a nation? She stated she is a Mississippi band, not a nation.

- Marcie M. said she is on the drafting committee. We went back to the treaties. They specifically said that we were Indian nations, and when they made treaties with us, they listed these Indian nations. So they listed all these different bands. They listed us separately in the Treaty of 1854, which my reservation is a part of Grand Portage. So we are, in fact, an Indian nation. Your band is, in fact, an Indian nation, which has to do with our Sovereignty, the fact that we can write our constitution, and we were recognized by the federal government, who were making treaties "nation to nation."
- Carol J. followed up on what Marcie stated by noting that Sovereignty is an International concept. We had inherent Sovereignty long before we had our first contact with the Europeans. The United States government recognized us as a nation through our Sovereignty. They made treaties with us because treaties are made between sovereign nations. We know that all along in history, they've done everything to assimilate us, destroy us, and diminish our Sovereignty. We should return and use the word nation as we were initially determined to be.
- Cheryl E. noted that we have had so many conversations about this. We've spent hours and hours talking about this. We have several bands. That's how we were sorted. In the last 30 or 40 years, each nation began calling themselves the band Fond du Lac Band of Lake Superior, Leech Lake Nation, White Earth says, White Earth Nation. But if you look at the papers, they're self-titling themselves as a band and not a band. We know this, and we know they're not bands. We're rectifying it by calling ourselves nations because that's according to the treaties. Cheryl also noted that a reservation is a geographic location. It does not describe the people. It's the area of land that the people live on. That's what a reservation is. It is not us.
- Wayne D. talked about his experience when he was traveling out west through the Choctaw Nation, probably about 35 years ago, and there were two elderly ladies we stopped. They asked where he was from. Wayne told them he was from the Fond du Lac band, and my wife is from Turtle Mountain Reservation. The ladies scolded them and said we are the Choctaw Nation. Meaning we have Sovereignty we're not subject to or belittled by anybody. We're the nation. That was their point of view. Wayne continued to say Fond du Lac Band, but nations among sovereigns means you're equal. That's the accepted definition worldwide.
- Sandra B. said reservation is a white man's term. It's artificial. It's not part of our culture. So we have to have a collective understanding of what that is
- Carol J. noted that we're trying to get our minds twisted back into the fact that we can make our own decisions. We have to think about what will break the chains that we have on and get rid of the SOI and all the names put on us.
- Millie H. stated she hasn't been at this for a long time, but I do understand the importance of sitting at this table and being at this meeting because we're all here sitting and representing our nation. We realize that we're having a vote with the six nations. It's important when we come to these meetings that we respect each other and try to come to some conclusion, but if we don't, that's okay too because you know that we are Six Nations and are still united. And perhaps we'll be united under a different model than the Minnesota Chippewa Tribe Revised Constitution model today. That's what we're working toward.

Next Steps:

1. All Bands:
    - Draft language for the blood quantum referendum question and send it to the Drafting Committee before the June convention.
    - Review and provide feedback on the two Models.
2. Drafting Committee:
    - Coordinate and compile the language for the Secretarial election submitted by each band.
    - Post the draft of Model #1 with its attachments on fdlconsitutition.org.
3. Finance Committee;
    - Schedule a meeting to refine the Bush Grant application.
    - Continue to explore a fiscal agent for the Bush Grant, particularly with the Self Governance Center in Minneapolis.
4. Education Committee:
    - Email all flyers and educational materials to delegates once completed.
5. Cheryl E.
    - Email Phil Bordeen to clarify what TEC wants regarding the referendum language.