

MCT CONSTITUTIONAL REFORM DRAFTING COMMITTEE

Date: 2/13/24 Time: 6 PM

Facilitator: Carol J.

Present: Marcie M., Michaa A., Debra T., Julie H-C., Gerald W., Raymond B.
Veronica S.

NEW BUSINESS

1. MCT Organizational Chart sent to Drafting Committee Delegates to review before this meeting (Attachment 1)
2. MCT Functions sent to Drafting Committee Delegates to review before this meeting (Appendix 2)
3. Reviewed and discussed how MCT functions will fit into the new governing structure. See Chart on the Reconstruction of MCT (Attachment 3). The purpose of the chart is to look at where the MCT functions fit into the Administration and Supervisory Council (Implementation and Enforcement)
4. **MCT DEPARTMENT OF ADMINISTRATION**
 - MCT funding: Grants, Federal and Stated Grants (they should have public access), IHS, Elderly Nutrition Program, government money. Bands are self-governing and get direct funds.
 - Because The Minnesota Chippewa Tribe is listed on the Federal Registration, we are only considered one tribe with 6 Bands.
 - IHS- big budget
 - Minnesota Council on Aging
 - Indian Child Welfare (ICWA)
 - Minnesota Indian Preservation
 - Minnesota Dept on Aging
5. **ENROLLMENT**
 - **To Be Determined**
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6. **HEALTH CARE ARE GUARANTEED TREATY PROVISIONS GOVERNMENTS TRUST RESPONSIBILITY**
 - Problems with Indian Health Services (IHS)
 - Can not get refers for outside clinics
 - Non-Indians are getting service
 - No access to or unequal access to services
 - Green Card holders- so many at White Earth it takes several months to get dental care. People travel from out of state to get dental work done because it is cheaper on the reservation, even with the travel cost added.

- The clinics are so busy that you can't make an appointment. You have to walk -in or call early in the morning and hope there is space.
- Problems with insurance. The system is purged each year, so people must resubmit the paperwork. The people are forced to sign up for a State Medical Assistance Card.
- Tribes will not honor prescriptions from outside resources; they only allow generic meds.
- People go to the Cass Lake Hospital because it is easier than dealing with the Clinic on Reservation. The Bands are racking in money with the new system. The IHS receives money for each person who walks in the door, and Mental Health Services receives "Times Three" money.
- Elders and those on the reservation should have priority
- Bands have "Circle Health" and "You Care, which come out of Social Security and reimbursed" programs and reimbursement for co-pays up to a limited lifetime amount.

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7. External Governmental Relationships

- ARTICLE IX Admission of Other Tribal Nations
- ARTICLE XIII Rights of Citizens
- FPIC Develop a policy and procedures for handling Free, Prior, and Informed Consent
- Contracts
- ISDEAA
- Legislative relationships
- Jurisdiction
 - Michaa asked that we check the wording in the Alliance regarding Jurisdiction. Their citizen mentioned that a newly created system should not derive powers from an old Constitution. The powers come from inherent rights and sovereignty. The wording from that relates to the old constitution.

8. Employment

- Employee Handbook
- Job preference for Indians
- COLA Resol. 31-23
- Labor Laws
- Employee Relations
- Hiring and Firing
- Evaluation
- Compensation Programs
- Safety
- Appeal process
- Rights of children and citizens relate to labor
- Employment, education, advocacy, and job training

- Job Preference for Indians
- Need money for programs to get services to kids early while they are still in school and start preparing them for college at a younger age. Use reinforcement in the school and the homes. Use apprenticeships, mentor programs, and career counseling.
- Bring High School Shop Programs back

9. Ethics

- It is related to employment

10. Self Determination

- Look at acts, contracts, and resolutions.

11. Finances

- There are a lot of job titles under finance on the MCT Organizational Chart.
 - Develop a Fiscal Responsibility Committee
 - Develop a Financial Service Board
- *Needs to provide quarterly reports to the Grand Council**

12. Accounting

- When people get hired for a job and have the expertise, others need to access that knowledge and learn from them.
- The program should be divided into two groups.
 - Enterprise, Businesses, and Gaming
 - Programs
 - Clinic
 - Community center
 - Trust Land
 - Natural Resources
 - Human Services
- Audit

All department departments that handle money will do audits

*** Needs to provide quarterly reports to the Grand Council**

13. Land/allotments/Trust Assets

- Why does the MCT organization own tribal Land?
- What about taxing Rice?

14. Education

- need scholarships for high schoolers but also job training and apprenticeships.

15. Natural Resources/Environment

- Marcie M. spoke about the Moose Health Research on Grand Portage. People are collaring animals, chasing animals for eight days in a row nonstop by helicopter and snowmobile, shooting them with darts to

tranquelize them, and bringing them into their business to run tests and do experiments on them. They are using the reservation for a laboratory. They have tons of money but have not hired Indians. There are only white males. With this climate changing for good because people on Earth won't change their ways, the moose are moving north. They're not coming back. We used to eat moose, but the hunters have found that the moose have diseases. Experimenting with these moose does not make any sense. We're never going to get them back.

16. Citizen and Other Rights

- The legal department should work on these.

17. Tradition and Custom Dispute Resolution

- Develop programs, policies, and implementation.

18. Legal

- The judiciary is different from the legal department. The Judges will be independent.

19. Elections

- Need to know what aspect of elections the MCT handles.

20. Appeals

- Enrollment Appeals Committee/Board
- Need to understand the Administrative Hearing Board and IBIA.

21. Department of Enforcement

- How is enforcement going to be handled?

22. Media &, Technical Support

- Deal with gag orders
- Develop a system for meeting announcements and posting minutes

23. Grant Writing

- There should be a separate department

24. Benefits

- Band Specific, but citizens need to know

25. Misc.

- Meetings
- Salaries
- Funding

26. United Nation Assistance

- Implementation of Citizens' right
- Consultation
- Use of toolkits and procedures offered to address citizens' Rights

27. Responsibilities of the United States to UNDRIP under other International Agreements.

Other topics discussed

1. Phil Brodeen is working on passing an act to Congress where the six bands will be listed independently on the federal Recognized Tribe list away from the MCT.
 - Raymond B. noted that if we split up the six bands, our strength and unity would be gone. The government already had that in mind when the casinos started. The casinos tore us apart. The Mile Lac Band has already closed its enrollment. We are going to have a hard time surviving as independent sovereign nations. TEC and Attorney Brodeen have to think carefully about the ramifications. Is MCT terminated when the Bands separately put their names on the Federal Recognition list? Then what is MCT for? What about the IIM accounts, trust Land?
 - Governments cannot own Land. MCT should not have Land. The government set them up as a financial institution/business. Our people never authorized them to be a representative government. They are an agency of the federal government. See the back of your enrollment card.
 - Our people used to be a Nation with Bands. WE ARE ALL THE SAME TRIBE.
 - Michaa A. asked about having seven tribes listed. He wondered how each of the six bands has more legitimacy, adding themselves to the list, escaping MCT without a constitutional movement or vote, and Sandy Lake is held to a different threshold. Adding us is just as legitimate as adding the six Bands. We should remain united. Seven sovereigns. Sandy Lake voted to join MCT in 1934. We had our local charters representative government. From 1936 to 1964, the ancestors agreed to pool assets in 1934. Our people deserve equal standing as anyone else.
 - Marcie M. stated that breaking up the six bands would be really dangerous. The people at Grand Portage talk about how the government could dissolve them. We are right on the border and feel we could be dissolved for natural security-type areas, and the government could pass a defense bill with the rider that would dissolve all of us and open us up to mining. We need to keep together. We are always under that threat, and we have to stay united.

Next meeting: 2/20/2024 at 6 PM