

MINNESOTA CONSTITUTION REFORM CONVENTION

Hosted by Fond du Lac

February 21, 2025

In-person attendees:

Cheryl E., Julia L., Cissy O., Sally F., Patty S., Donavon S., Frank R., Deb S., April G., Marcus W., Emily A., Louis J., Aaron F., Arlene V., Birdie R., Julie H-C., Eva W., Misy P., Gayle T., Christina B., Chirshan A., Craig H., Danielle S., Tracy Dagen.

Zoom Attendees:

Carol J., Wayne D., Sybil G., Jolyn D., Al O., Mike, on IPAD, Marcie M., Gerald W., Tammy S., Michelle B., Clair G., Fawn R., Tracy D., Terri, Mykee B., Sandra B., Marilyn W., Toni W.

Welcome/Facilitator: Cheryl E.

Invocation: Charlie S.

Delegation Roll Call: All Bands present

Housekeeping/Reminders / See the process attached to the agenda.

Agenda:

- 1. Team Building Exercise – Cheryl E.: Fun exercise – Let's get to know each other better to work together better.**
- 2. Review the January 27-28 TEC meeting, including subcommittee meetings, discussion, and working with your RBC members.**
 - TEC approved the Leech Lake Resolution to include Red Lake Chippewa blood.
 - A question about what section of The Consitution Article II- Membership. Under what section will Leech Lake enroll the people over a year old?
 - The response to that question was that the Constitution was not followed in the past. Another person said they would use Section 3, "because of error" language.
 - A delegate noted that in the past, there was a definition of "because of error" in a resolution. It was repealed, and now the language "because of error" is undefined.
 - A delegate read a draft of a letter to TEC because of technical difficulties with the equipment, and the video by Michael S. reading the letter could not be viewed.

- The letter intends to have all the band delegates agree on the language and send it to the TEC to let them know they need to address four issues: the 2022 Referendum must go forward to a Secretarial Election, they need to interpret 30 % and proceed with the plan to remove the Secretary of Interior from Article XII Amendment. The delegation tabled the letter until next month.
- Plan of Action presented to the delegation.
 - The letter was a first step.
 - Review relevant documents
 - Obtaining written correspondence between TEC and the BIA regarding the 30% issue.
 - Review the Secretarial Election process 25 CFR 81
 - Engage the Tribal Executive Committee (TEC)
 - Mobilize Tribal Members and Leadership Support if TEC is not forthcoming, initiate a grassroots movement by one of two petitioning processes
 - Attorney Brodeen Drafted a Formal Resolution No. XX-24 to request a Secretarial Election
 - Send Phil Brodeen a copy of the Tribal Election Ordinance draft and suggest that two delegates from each band sit on the Ad Hoc Drafting Group to finalize the Tribal Election Process and Ordinance.
 - Encourage TEC to determine who will replace the Secretary after being removed from Article II. The Drafting Committee suggests an Interim Council comprising two members from each band.
 - Use Sovereign Nation or band

3. Finance Committee - Bush Grant Update

- The committee rewrote sections of the grant application.
- A delegate decided to have a special meeting with those interested in working on some adjustments to the grant application and look closely at the following:
 - The application directives. Write the answers for each section based on what they asked for in each section.
 - Look at the number of characters allowed. Use them to add enough so they know your project was well-thought-out.
 - Strongly consider we include what Ramla, the Bush Grant personnel, suggested.

4. Education – Where Did Blood Quantum Come From?

- The FDL delegates handed out a copy of the PowerPoint slides they presented.
- The delegates distributed a second handout of the timeline from 1200 to 2024 on the USE OF BLOOD QUANTUM THROUGH HISTORY for reference.

5. Education Committee Update on 15 Flyers.

- The delegation approved the flyers by a unanimous vote.

6. Education Curriculum Review - Status

- The last videotape was completed. The Educational Curriculum can be finalized and sent to the TEC for approval.

7. Drafting Committee Update

- One of the Drafting Committee members gave an update on the Alliance Document.
 - The drafting committee facilitator suggested we consider our priorities seriously and devise a strategy to accomplish them.
 - The following issues are on the list:
 - Removal of the Secretary from Article VII-AMENDMENT
 - Determine who will replace the Secretary.
 - Each band needs to finish the Local Constitutions
 - Eventually, the Revised Constitution will be revoked, and the Local Constitutions will be instituted.
 - Approve the Alliance Document
 - Address the 30% quorum issue.
 - 2022 Referendum
 - A draft of a Tribal Election Ordinance was given to the delegation to be discussed next month. The suggestion was to send it to Attorney Brodeen as the spearhead of a plan. With the ordinance, the suggestion is to encourage him to include delegates from each band to work on the ordinance.
- **Drafting Committee Report**
 - **Alliance**
 - A drafting committee member discussed the Alliance. The initial problem with the Alliance document was that people were afraid that we were replacing the Constitution with a document that was going to govern us, and we would have no say. The delegate suggested that the bands pay attention to the language. There is nothing in it that says you must do this. It does not say anything like you must do anything. Let the world and the government know we are staying together on one side. We are still trying to decide what to call it. He said some people think a treaty should be reserved for important things. He responded that this document is important.

The facilitator of the Drafting Committee commented that:

- Recommends that the document should be named **MAZINA'IGAN ALLIANCE TREATY OF THE MAAMAWIINO ANISHINAABEG NATION (AKA CHIPPEWA)**, which would make a strong statement. She said the late Wally S. defined an Alliance as a treaty between two Sovereign nations.
- The ultimate plan is to revoke the IRA MCT Constitution and replace it with the local Constitution. What will replace the Consitution, a governing document, are the local Constitutions, the governing documents of each Bands. They will get a package, the local constitutions, and the Alliance. This adjunct umbrella document is not a governing document. Still, the philosophy will guide us in operating together under similar interests, historical content, philosophy, and rights.
- A delegate also pointed out that the government in the IRA said here is your Constitution, without input from us. The Alliance is more organic, from the people, from our roots, and it says how we will relate to one another. The Alliance Treaty is a social contract we have between ourselves that says where we form; this is how we will relate to each other, and these are our shared values, and then we will have our local constitutions to govern our people in our respective Bands.
- A delegate asked what would happen to the MCT organization. The facilitator of the drafting committee noted that MCT is just another agency with which we will collaborate and coordinate. The thought is to have a liaison council comprised of two members from each band to communicate with MCT and the Bands. Removing the Constitution has nothing to do with MCT. The Consitution is our governing process. Our Alliance provides us the basis, foundation, and tools to work with them.
- **UNDRIP** A 1/25/25 news release from the Department of the Interior said that in 2014, the United States signed a consensus resolution with the United Nations General Assembly, committing to take measures to achieve the ends of the UNDRIP. Having UNDRIP in our Alliance makes a strong statement that we have rights, and we expect those rights to be honored.

- **IRA and Federal Recognition**

- A delegate commented that the IRA authority comes from section 16. Which states they were supposed to call an election in one year, but it wasn't until that window of opportunity that we had the election. However, someone signed off on it even though it was a framework for an IRA.

- A delegate noted that we better not forget how we're listed on the federal registry under Indian entities because there are specific stipulations of that's why they created the Minnesota Chippewa tribe to be a tribe; you've got to have a constitution. So until we somehow get out of the IRA, we better be careful. We need to meet those qualifications to be on the federal register of entities since we're not listed separately. The federal government needs to continue to recognize us. Currently, we are recognized as one, the Minnesota Chippewa Tribe.
- Another delegate noted that sometimes MCT is referred to as a tribe, and sometimes, it's referred to as an organization. She said that according to the Indian Arts and Crafts Act, it is a tribe. But what difference does it make? The point is that we have the MCT office in Cass Lake. They run programs that benefit our people. She also said the Alliance is a document that will help us continue to run things as we have always done. The Alliance comes from the depths of our culture. We've gotten too far away from our Ojibwe culture and its meaning. We get some programs that don't fit our reservations but we get them because we need the money. It doesn't fit within our culture. She said the Alliance gives us the directives of how to do it and then how not to do it; it has to last a long time. She reported that the Alliance was very well received at Grand Portage.
- Another delegate said that the Puebla Laguna Tribe had removed the Secretary of Interior from their constitution. The BIA wrote them a letter to clarify that their status was still that of a federally recognized tribe with a non-IRA constitution. So, changing our IRA constitution to a local constitution should not affect our federal recognition. It should not be a problem, especially when the Department of the Interior encourages us to remove the Secretary. It doesn't mean we shouldn't get legal clarification.
- A delegate asked the question about Tribes, like Pueblo Laguna, who have removed the Secretary from their Constitution; what don't they qualify for or have access to, for example, real estate and trust property processes? She said there is a difference between IRA and non-IRA. It is harder for non-IRA tribes. The appeal periods are longer for non-IRA Tribes. She said it would be interesting to find out because we show the positives, but we also have the downsides of different things. We are selling a product here. She noted that we don't have a letter or response, and if we are to do this, does it affect our sovereignty or federal recognition? She said that we have a lot of opinions out there, but we don't have a solid piece of factual information to hand to our people to say don't worry, we will never lose

our federal recognition. We don't have that to show. It still will be confusing to our members.

- **LIST ACT**

- A delegate said no one ever answered the question about federal recognition, which differs from the Alliance. Federal recognition is something the U.S. government does, and we have nothing to do with it. She said many people were getting riotous at a TEC regarding the List Act, which lists federally recognized tribes. The TEC was asking about listing each reservation separately because of COVID-19 funding. We must ask TEC if they followed through on changing the List Act.
- A delegate stated that the change in the List Act has not gone through because a Minnesota senator won't push it forward until all six bands agree, which hasn't happened.
- Another delegate said we must be careful not to lose our recognition because we would have to start over to get recognition as separate tribes. We want to stay together but govern ourselves separately. Federal recognition is of utmost importance in moving forward. We need to double-check this even though we have seen other tribes do this, and their federal recognition has not been removed. We have always been recognized because of our treaties. Recognition can occur through treaties, an act of Congress, and the IRA. Two things are happening here: changing from an IRA Constitution to a non-IRA Constitution and changing how we are listed on the annual Federal Registry/Recognition List.
- A delegate also asked about the land we have that is labeled Minnesota Chippewa Tribe. TEC has not addressed that yet. If it is conveyed, does it have to come out of trust, and that trust process take place again? The initial documents about the change on the annual list came from Mille Lacs.

- **CHAT:**

- A delegate posted: "First they came for the socialists, and I did not speak out—because I was not a socialist. Then they came for the trade unionists, and I did not speak out—because I was not a trade unionist. Then they came for the Jews, and I did not speak out—because I was not a Jew. Then they came for me—and no one was left to speak for me." The quote is inverse for enrollment criteria. First, they denied the less-than 1/4, but I did not say anything...
- Another delegate responded, "Very appropriate."
- In the urban realm, there is disconnection. We have an urban office and an urban council, and from my knowledge, they do not collaborate. What can we do if leadership and/or those who make the "rules" do not honor a

person's opinion, voice, or well-being? Yes, have the Delegates bring back this info to the people; how when so much disconnection goes down?

- The TEC should not limit it to just one roll; they should be accepted if you have trees from 1880.
- The MCT was made a 'tribe' by the Federal government so they could give them funding.
- The MCT is not a Tribe; it is unelected bureaucrats representing the bands. The MCT applies for grants.

The next meeting date is March 21, 2025. The host is Grand Portage Delegates at Duluth.