

THE MINNESOTA CHIPPEWA TRIBE
Tribal Executive Committee

Regular Meeting
July 8, 2019

A regular Tribal Executive Committee meeting was called to order at 3:06 p.m. by President Chavers at Northern Lights Casino & Event Center, Walker, Minnesota.

President Chavers asked if there were any addition agenda items, please request to be placed on the agenda. She also requested that everyone be respectful, treat people with respect.

Roll Call: Catherine Chavers, Chairwoman, Bois Forte; Dave Morrison, Secretary-Treasurer, Bois Forte; Marie Spry, Acting Chair, Grand Portage; April McCormick, Secretary-Treasurer, Grand Portage; Melanie Benjamin, Chief Executive, Mille Lacs; Sheldon Boyd, Secretary-Treasurer, Mille Lacs; Kevin Dupuis, Chairman, Fond du Lac; Ferdinand Martineau, Secretary-Treasurer, Fond du lac; Faron Jackson, Chairman, Leech Lake; Arthur LaRose, Secretary-Treasurer, Leech Lake; Eugene Tibbetts, Acting Chairman, White Earth; Alan Roy, Secretary-Treasurer, White Earth.

Others: Peter Boshey, Rep., Bois Forte; Roger Smith, Rep., Fond du Lac; Bruce Savage, Rep., Fond du Lac; Emily Johnson, Strategic Initiatives Coordinator/Deputy Asst., Mille Lacs; Shena Matrious, Government Affairs Area Relations/Special Projects, Mille Lacs; Wendy Merrill, Legislative Office Manager, Mille Lacs; Shelly Diaz, Mille Lacs; David Aubid, Mille Lacs; Micha Aubid, Mille Lacs; Laurie Harper, Education Director, Leech Lake; Ben Benoit, Leech Lake; Lenny Fineday, Legal, Leech Lake; Tammy LaRose, Enrollment, Leech Lake; Frank Reese, Leech Lake; Marie Poupart, Leech Lake; Kathy Goodwin, Rep., White Earth; Shannon Heisler, Enrollment, White Earth; Linda Aitken, MCT Staff and other interested parties.

Invocation: Moment of Silence.

Request to be added to the Agenda:

New Business: Nancy Beaulieu, Leech Lake

Discussion of MCT Constitutional Convention Delegates Budget: Lenny Fineday

Motion by Chief Executive Benjamin to approve the agenda with additions. Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Martineau to approve the Minutes of April 24, 2019. Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

President Chavers announces Buffet available for those in attendance following the Tribal Executive Committee meeting.

RESOLUTIONS:

Motion by Acting Chairman Tibbetts to TABLE Resolution regarding Restore full blood status. Seconded by Acting Chair Spry. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 98-19 regarding Record scanning project funding. Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer LaRose to approve Resolution 99-19 regarding Title Reconciliation Project New Cooperative Agreement. Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 100-19 regarding MN Deed Business Development Program. Seconded by Acting Chairman Tibbetts. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 101-19 regarding enrollment: Fond du Lac Eligibles (14). Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 102-19 regarding enrollment: Fond du Lac Ineligibles (6). Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 103-19 regarding enrollment: Fond du Lac Blood Degree Change (1). Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 104-19 regarding enrollment: Leech Lake Eligibles (58). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 105-19 regarding enrollment: Leech Lake Ineligibles (30). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 106-19 regarding enrollment: Leech Lake Transfer to Bois Forte (1). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 107-19 regarding enrollment: Leech Lake Relinquish from Lac Courte Oreilles (1). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 108-19 regarding enrollment: Leech Lake Relinquish from Oneida Nation of Wisconsin (1). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 109-19 regarding enrollment: Leech Lake No Parent Enrolled (1). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent. Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 110-19 regarding enrollment: White Earth Eligibles (39). Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 111-19 regarding enrollment: White Earth Ineligibles (44). Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 112-19 regarding enrollment: White Earth Transfer to Leech Lake (3). Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 113-19 regarding enrollment: White Earth Relinquish to Lac Courte Oreilles (1). Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 114-19 regarding enrollment: White Earth Blood Degree Change I. Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 115-19 regarding enrollment: White Earth Blood Degree Change II. Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 116-19 regarding enrollment: White Earth Blood Degree Change III. Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 117-19 regarding enrollment: White Earth Blood Degree Change VI. Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 118-19 regarding enrollment: White Earth No Parent Enrolled (2). Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

Motion by Acting Chair Spry to approve Resolution 119-19 regarding enrollment: Grand Portage Eligibles (1). Seconded by Secretary-Treasurer McCormick. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 120-19 regarding enrollment: Mille Lacs Eligibles (20). Seconded by Secretary-Treasurer Boyd. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 121-19 regarding enrollment: Mille Lacs Ineligibles (17). Seconded by Secretary-Treasurer Boyd. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 122-19 regarding enrollment: Mille Lacs No Parent Enrolled (1). Seconded by Secretary-Treasurer Boyd. 11 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Morrison to approve Resolution 123-19 regarding enrollment: Bois Forte Eligibles (11). Seconded by Secretary-Treasurer Boyd. 11 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Morrison to approve Resolution 124-19 regarding enrollment: Bois Forte Ineligibles (7). Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Morrison to approve Resolution 125-19 regarding enrollment: Bois Forte Relinquish to Keweenaw Bay (2). Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Morrison to approve Resolution 126-19 regarding enrollment: Bois Forte Blood Degree Change. Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent. Carried.

QUARTERLY REPORTS:

President Chavers stated the quarterly reports are read at the subcommittee meeting and would like to dispense with reading unless there are any questions.

Motion by Melanie Benjamin to approve the quarterly reports as they were presented at the subcommittee levels and dispense presentation at this committee level. Seconded by Secretary-Treasurer Morrison. 11 For, 0 Against, 0 Silent. Carried.

BIA- MN Agency: Patty Olby, Superintendent

The Administrative Officer has been selected and the start date is pending background investigation.

The Partners in Action Conference has been postponed. Plans are underway to reschedule this event.

The Minnesota Agency Fire Program has seen some transitions in the past year. After 24 years of service as the Fire Management Officer (FMO), Greg Peterson, retired in August of 2018. Cory Berg, the Fuels Specialist for Minnesota Agency at the time, temporarily assumed the FMO duties until March of 2019, when he formally accepted the FMO position. The vacated Fuels Specialist position should be filled soon.

It has been a very busy fire season.

Forestry has been busy as well.

The Bureau assisted in the delivery of over three hundred boxes of Agency Trust (probate) records to the American Indian Records Repository in Lenexa, KS.

Since October 1, 2018 to current, Minnesota Agency probate staff have reviewed 3,058 probate files and prepared to ship to AIRR.

Of the six Minnesota Chippewa Tribe Bands, four have **compacted** the Real Estate Program; the Minnesota Agency's Federal Inherent Function is to review and approve contracts submitted. We are hopeful that the Bands will consider the Hearth Act, which would eliminate the need for BIA review and approval of leasing documents. Combining the Hearth Act with TAAMS access at the Tribal level would greatly reduce the workload and wait times for processing leases at the Agency. Fond du Lac was recently approved for Hearth Act.

Five of the Six Minnesota Chippewa Tribe Bands now have TAAMS access, which supports Self Governance, and reduces the wait times to receive reports and approved/recorded documents from our office. Once TAAMS is obtained at the Tribal level, it is important to keep the computer systems up to date, which is best done through weekly utilization. Weekly use insures the Tribal TAAMS user account stays active. This includes bringing the TAAMS computer to the Agency occasionally to get system updates. Having an operational TAAMS computer is a

requirement for TAAMS training – which can be scheduled on short notice locally; which is more cost efficient versus sending employees to the TAAMS training center out of state.

The purpose of the Title Reconciliation Project is to research, reconcile and produce a certifiable TSR which reflects current ownership and encumbrances on tracts of land involving the Minnesota Chippewa Tribe and the six member bands.

Scanning Project purpose is to protect, preserve, file and retrieve federal records. Numerous boxes of inactive federal records have been shipped to the AIRR. (52 boxes shipped in 2017, 106 boxes shipped in 2018, 420 boxes shipped so far in 2019).

American Indian Records Repository (AIRR), the purpose is to protect and safeguard Indian records. Ensure appropriate care and protection of records. Preserve the documented heritage of Native Americans. Copies are available upon request and response time is approximately 2-3 days. Records can be recalled or request scanned image, electronic copy within three days.

Secretary Treasurer LaRose stated that each tribe has individual records at the bureau. Leech Lake records have been shipped. Superintendent Olby responded the records transferred so far are on fee lands.

Secretary-Treasurer LaRose stated that Leech Lake is currently dealing with land issues, lots of clouded titles that need to be researched.

Superintendent Olby informed the Committee that Tammy Poitra was selected as the new Regional Director. Regional Director Poitra spoke with Secretary-Treasurer Roy and would be meeting this fall on budget formulation. A meet and greet would be held here all evening for any discussions.

President Chavers congratulated Tammy Pointa as Regional Director and looked forward to working with her.

BOUNDARY WATERS: Tom Landwehr

Thanks for time and generosity. New group in March – campaign to save boundary waters. People are working with no work related to tribal issues.

Powerpoint Presentation on Boundary Waters:

Special place

Sulfide or mining proposal

Boundary waters canoe area wilderness. Most visited wilderness area. Largest east of Rockies and north of the everglades.

Tourism in northern Minnesota. 17,000 jobs supported by tourism.

The threat – pending proposal from twin metals Minnesota owned by Chilean company Anafagosta to excavate a huge mine on the edge of the boundary waters & in the watershed. Sulfide ore mining has a bad history in the U.S. and has never been done before in Minnesota.

The risk is permanently ruins the pristine waters. (Map of pollution) Not here – not right place for mine. Lakes and rivers connect. Acid mine drainage would flow into Quetico Provincial Park and Voyageurs National Park. Campaign to save the boundary waters. Committed to immediate and resolute action to protect the boundary waters and its watershed from sulfide ore copper mining. We were successful before in protecting the BWCAW. On May 15, 2019 US bureau of land management renews twin metals leases. Mining is unpopular in Minnesota, strongly opposed.

Savetheboundarywater.org/wildernesswarriors

Laws that regulate mining due not protect this area. Trying to inform as many as we can.

President Chavers asked Tom to do this presentation, we know how important water is and we all go out to D.C. and speak with senators.

Tom thanked the Committee for opportunity.

Chairman Jackson asked if a letter of support from the Tribal Executive Committee would be helpful. Tom responded a letter of support would be quite helpful.

Motion by Chairman Jackson to provide a letter of support on behalf of saving the boundary waters. Seconded by Acting Chair Spry. 11 For, 0 Against, 0 Silent. Carried.

EAGLE FEATHER APPLICATION FORM 3-200-15A: Executive Director Frazer

Executive Director Frazer This question came up a couple years ago. The Minnesota Chippewa Tribe has been signing off on the applications and not individual bands. We are requesting that this body send a letter to Fish & Wildlife that the individual bands would be the signatory on these applications. President Chavers responded that this would streamline directly to the tribes. Chairman Dupuis stated he had just met with the fish & wildlife. He agreed this should streamline directly to the bands.

Motion by Chairman Jackson to approve a letter to Fish & Wildlife directing Eagle Feather Application Form 3-200-15a be directed to the affiliated band. Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent. Carried.

LEGAL: Phil Brodeen

Phil's first discussion is the Wild Rice. The State is setting season outside of when the rice is ready. Have a structure to discuss this issue is the Wild Rice task force. Legislative authorized the Wild Rice task force. Send a letter to the state to discuss and reconvene on the Wild Rice issue.

Motion by Secretary-Treasurer LaRose to authorize the Wild Rice taskforce to manage the Wild Rice season. Seconded by Acting Chairman Tibbetts. 11 For, 0 Against, 0 Silent. Carried.

President Chavers felt the state opened the lakes too early for harvest. We know how to manage our rice. The Wild Rice taskforce get together with state and manage the harvesting of wild rice, include the Sioux tribes. Phil would send out letters to the eleven tribes in the State of Minnesota

Secretary-Treasurer Roy: read statement he prepared:

Good afternoon and thank you Madam President, members of the committee, Tribal members, and distinguished guests. I am Alan Roy, Secretary-Treasurer of the White Earth Nation. I have served honorably on this committee for approximately a year. Today I issue this statement in hopes of meaningful reform and to better serve our People.

The first matter that I wish to address—after weeks-long Tribal government engagement that was caused by concerns related to the MCT Land Transfer Resolution (96-19)—comes from the Enrollment Impact Report (EIR). However, I will address Article IV – Tribal Elections, Section 4, otherwise known as the felony clause, and as stated Article II – Membership as its affected by the EIR. I will also address the need for a Special Meeting to be held related to the approved MCT Land Transfer Resolution (96-19).

Article II – Enrollments: Address historical injustice, consider reform, initiate Clan Mothers

First, as related to Article II, Resolution 31-15 includes First Nation Anishinaabe blood and Resolution 32-15 includes other verified federally recognized Anishinaabe/Ojibway/Chippewa blood, both to be brought forward for a Secretarial Election ballot decision by MCT Tribal members. As I engaged several Tribal Leaders, many believed that the issue of enrollment reform is long overdue. Some also thought that these Resolutions were a step in that direction.

Beginning with elections last year, the matter of enrollment reform has been placed on the shelf for a few reasons, which includes providing an opportunity for Constitutional delegates to discuss the matter and for Tribal Leaders to consult their individual Bands.

Since the EIR was initiated, which directly affects Article II and Resolutions 31-15 and 32-15, the scope of enrollment issues have compounded due to recent discoveries. For example, an initial EIR summary has identified major issues associated with the 1901 Allotment List that wrongfully listed 1,089 individuals who lost full blood status.

Of the 1,089, a sampling of 5 Blood Quantum Corrections resulted in 1,963 individuals impacted. While an exact estimate of individuals negatively affected may never be known, a basic estimate, if divided equally among the sample size, would show that up to 427,541 Blood Quantum Corrections may be required. At a minimum, tens of thousands can be expected. Based on the current sample, the Blood Quantum Corrections affect every Band.

Because Article II is severely affected by the 1901 Allotment List—in which case many other rolls are not included in the EIR estimate but most certainly would increase the amount of Blood Quantum Corrections on top of the rough estimate of 427,541 individuals—the feasibility of implementing Resolutions 31-15 and 32-15 becomes questionable. The inclusion of outside blood does not mitigate the issues presented by current blood rolls. Resolutions 31-15 and 32-15 may complicate present and future Blood Quantum Corrections. Including outside blood will not fix the mistakes of the past—intentional, malicious, or otherwise. However, all hope may not be lost if proper analysis is conducted.

To further examine this issue, at the conclusion of this statement and in conjunction with other matters presented, a series of motions to assess each matter more deliberately will be made.

Whatever any analysis and assessment reveals, the issue of who belongs to the Tribe—the family—was traditionally decided by women. Therefore, Clan Mothers should be at the center of Article II - Enrollment.

Bottom line, we need to assess Article II with Resolutions 31-15 and 32-15, and the EIR for possible enrollment reform and Constitutional implementation. For those concerned with the possible rise in enrollment numbers, the answer to this concern is both pragmatic and values driven. A historical injustice occurred against our People. We have the freedom to choose its outcome by ending the injustice or allow the issue to carry on.

The injustice was the displacement of People, blood and identity for land. An injustice against one is an injustice against all. The truth is, if we cannot run from our past, we will not escape our future: continued displacement.

Depending on their laws, nations may die slowly and sooner than they think. If there is great concern about the issue that may stall Tribal Leaders from presenting it to the People for decision, questions must be asked:

- Have we reduced ourselves to what's best for the few is better than what's best for the whole?
- Does rabid self-interest supersede public interest?
- As Tribal Leaders, what will you do to fix this?

We are burdened with knowledge that hundreds of thousands of people are affected by enrollment. The issue will persist until its presented to the People for decision.

Article IV, Section 4 – Elections: Strengthen and Amend the Felony Clause, support Clan Mother decisions

Second, Article IV, Section 4, also deserves assessment as large segments of our population are disproportionately incarcerated. The rates of recidivism for men and women are above 80%. Our people are racially profiled by law enforcement agencies. Even for those individuals that turn their lives around after incarceration, they continue to experience employment discrimination.

Section 4 prevents individuals with a felony conviction of any kind at any time in their lives from ever being a Tribal Leader. Theoretically, Section 4 protects Bands from predatory and corrupt Tribal Officials. Certainly, some people should never be allowed to hold public office if they've betrayed the public trust. Convictions follow people for a reason and rightfully so.

Not distinguishing among felony convictions is problematic, however. For example, felony shoplifting is much different than felony murder. Using a wide brush to color convictions as one in the same is disproportionate in response and absolutely imprecise. Furthermore, three major questions come to mind with the blanket application of Section 4:

- What of those individuals that have reformed and served their time?
- What of those minors with convictions?
- Does the Tribe (government) have the power to reduce the freedom of choice at the ballot box and deprive candidates of due process?

Perhaps we are institutionally depriving individuals of second chances, leadership, and the People's freedom to choose their leaders.

I do not believe that Section 4 needs to be repealed. On the contrary, Section 4 must be amended: strengthened and honed for greater precision and adjusted for a more equitable process. Moreover, the Section recognizes State and Federal courts, but it does not recognize Tribal Courts. Section 4, arguably, has elements that may be in non-conformance with Article XIII – Rights of Members.

Earlier I spoke of Clan Mothers deciding who belonged to the family, I also believe they should determine who is fit to lead. Family and leadership being a critical duty of our Clan Mothers must be considered. Pragmatically, Clan Mothers would be integrated into the process of certification of candidates seeking approval under Section 4, which would otherwise be normally excluded.

Overall, an assessment is called for because the issue of injustice is prevalent. Article IV, Section 4 needs enhanced precision and a more equitable process.

Resolution 96-19 – Notify, Amend, Assess, and put to Referendum

Third, and finally, Resolution 96-19 (MCT Land Transfer Resolution) builds upon Resolutions 67-19 and 33-18 by authorizing additional legislative language. The current draft legislation in the House of Representatives Bill has changed several times since Resolution 96-19 was passed—to include incorrect versions being circulated among the Bands from Congressional staffers. As a point of clarification, I request from the Tribal Executive Committee and the MCT Administration exact language within Tribal laws that discusses how MCT lands located outside of the exterior boundaries of each Band are to be governed if certain lands are not in conformance with Land Ordinance 3 and other provisions.

While Resolution 96-19 states several times, “which a constituent Band exercises jurisdiction,” it remains unclear how a constituent Band has come to formally exercise jurisdiction over said lands located off their respective Reservation to begin with. It appears the statement is so broad sweeping that it is meant to cover all circumstances and future disagreements.

What is more peculiar, the draft House of Representatives Bill does not conform with Resolution 96-19 because it states:

(1) Such lands located within the reservation of a constituent Band of the Minnesota Chippewa Tribe to the constituent Band within whose reservation the land is located.

(2) Such lands not located within the reservation of a constituent Band of the Minnesota Chippewa Tribe **to the constituent Band whose reservation is closest to the land.**

Because such lands not located within the reservation of a constituent Band is not clearly defined at this point, how can the TEC move forward without an appropriate land assessment and without it clearly defined by resolution? The draft bill states that the land should be transferred to the reservation that is closest, but Resolution 96-19 says that it belongs to the Band that exercises jurisdiction over the lands.

What about those lands that are closest to one Band, but another Band somehow exercises jurisdiction?

The quick fix to this problem is to change the draft House of Representatives Bill once again, but it still does not resolve the TEC's end of the proposal: who's land is it, and who controls it?

Furthermore, Article V – Authorities of the Tribal Executive Committee, Section 1 (b) states that the TEC has the power to “prevent any sale, disposition, lease or encumbrance of tribal lands, interest in lands, or other assets including minerals, gas and oil.” In contrast, the TEC under Article V, Section 1 (f) is “authorized to manage, lease, permit, or otherwise deal with tribal lands, interests in lands or other tribal assets.”

These powers are important to all MCT lands, especially those lands not located within the reservation of a constituent Band because authority over these lands is Constitutionally defined. To compound the issue, it is important because it has come to my attention that there may be precious minerals located in specific lands not located within the reservation of a constituent Band. On top of that, there exists lands with alleged precious minerals that are closer to one Band but another Band exercises jurisdiction.

What is the goal then?

- To utilize precious resources without MCT interference?
- To prevent future disagreements related to precious resource claims?
- To truly implement the Hearth Act and streamline land administration?

How will we address these issues?

Because of this conflict, a formal assessment (list) of all MCT lands not located within reservations is warranted. The transfer of beneficial interests in lands held in trust by the United States for the Minnesota Chippewa Tribe to a constituent Band of the Tribe also warrants further discussion. Because the beneficial interests of MCT members will be dissolved on those lands not located within the reservation of a constituent Band, those Treaty Beneficiaries must be consulted before beneficial interests are actually passed by Congress. In short, the People must have a vote on this matter.

To my knowledge, the TEC has never exercised Article XIV – Referendum. For the sake of the People, on this specific subject, just this one time, let their voices be heard through referendum.

Madam President, in accordance with the MCT Bylaws, Article II – Tribal Executive Committee Meetings, Section 3, the President shall “call a special meeting of the Tribal Executive Committee when matters of special importance pertaining to the Tribe arise for which he deems advisable the said Committee should meet.” If approved now, or no later than July 12, 2019, I will request that the President call a special meeting on July 30, 2019 to address Resolution 96-19. If the President deems Resolution 96-19 is not advisable for the TEC to meet, no later than July 12, 2019 (19 days prior to the requested meeting) I will attempt to furnish a written request to the President for a special meeting under Section 3, “The President shall call a special meeting of the Tribal Executive Committee upon a written request of at least one-third of the Tribal Executive Committee.”

Further, to amend Resolution 96-19, should it come to a vote, for majority rule under Robert’s Rules of Order, it requires advance notice for any amendment for an already approved Resolution. A draft of the July 12, 2019 motion(s) read as follows:

1. Motion to immediately amend Resolution 96-19 with the attached amendments.
2. Motion for the MCT Legal Advisor and MCT Staff to coordinate with individual Bands and concurrently assess MCT lands located outside the exterior boundaries of individual reservations that clearly defines which Band exercises jurisdiction and deconflicts lands located closer to another reservation, which a “Deconflicting Land Resolution” be brought to the TEC no later than the next Regular Meeting for consideration and decision.
3. Motion for the MCT Legal Advisor and MCT Staff to coordinate with individual Bands and concurrently assess MCT lands located outside the exterior boundaries of individual reservations that includes the “Deconflicting Land Resolution,” which a proposal for Referendum will be brought to the TEC no later than the next Regular Meeting for consideration and decision.
4. Motion to approve Resolution 1855 – Restoration of the 1855 Sandy Lake and Rice Lake Reservations

The exact amendment(s) for the first motion will be included in the correspondence to be furnished on July 12, 2019. To clarify, these draft motions and any amendments will not be brought forward until July 12, 2019.

Reform: Serve the People by giving them choices

Related to Article II – Enrollments and Article IV – Elections, Section 4, in the most basic terms, what is being requested is the opportunity to look at these Articles and the issues that surround them. If the assessments find feasible amendments for TEC consideration to bring to the People for decision, then those solutions ought to be presented. With the understanding that the following motions are to look at these issues deliberately, they will be made consecutively and with a request for roll call vote on each motion separately.

As there may be concern if staff are able to conduct this work in the requested time period, once the assessments are underway a mid-point report ought to be delivered to the TEC at the October Regular Meeting. The mid-point report will assist the TEC in determining which issues should advance to the December Special Meeting: all, some, or none.

The motions read as follows for initial consideration and they will be repeated a second time for actual motion:

1. Motion for the MCT Legal Advisor and MCT Staff to coordinate with individual Bands and concurrently assess Article II – Enrollments for Amendment as related to Resolutions 31-15, 32-15 and to develop a third Resolution that addresses findings related to the Enrollment Impact Report due October 2019, which all associated and final proposals will be brought to the TEC no later than the December 2019 Special Meeting for consideration and decision related to Article XII – Amendment.
2. Motion for the MCT Legal Advisor and MCT Staff to coordinate with individual Bands and concurrently assess Article IV – Elections, Section 4, for Amendment, which all associated and final proposals will be brought to the TEC no later than the December 2019 Special Meeting for consideration and decision related to Article XII – Amendment.
3. Motion for the MCT Executive Director and MCT Staff to coordinate with individual Bands and concurrently assess the foregoing motions and to develop a plan for implementation such as June 2020 (specifically: direct coordination with federal agencies, timeline, budget, public information campaign, and any associated election and referendum), which will be brought to the TEC no later than the December 2019 Special Meeting for consideration and decision to execute Article XII – Amendment.

Prior to making these motions, Madam President I want to thank you for allowing me to address the committee and the public in attendance. I see that our future is promising since we now have several women leading our Bands and Tribe. In many ways, I believe it will take women to lead us where others could not. I pray that each person that serves on this committee finds the courage to support these motions for the People. I pray that you will lead us where others could not.

In consecutive order, and if each item is separately seconded, I hereby make the following motions with a request for roll call vote for each:

1. Motion for the MCT Legal Advisor and MCT Staff to coordinate with individual Bands and concurrently assess Article II – Enrollments for Amendment as related to Resolutions 31-15, 32-15 and to develop a third Resolution that addresses findings related to the Enrollment Impact Report due October 2019, which all associated and final proposals will be brought to the TEC no later than the December 2019 Special Meeting for consideration and decision related to Article XII – Amendment.
2. Motion for the MCT Legal Advisor and MCT Staff to coordinate with individual Bands, the Constitutional Reform Committee and concurrently assess Article IV – Elections, Section 4, for Amendment, which all associated and final proposals will be brought to the TEC no later than the December 2019 Special Meeting for consideration and decision related to Article XII – Amendment.
3. Motion for the MCT Executive Director and MCT Staff to coordinate with individual Bands and concurrently assess the foregoing motions and to develop a plan for implementation such as June 2020 (specifically: direct coordination with federal agencies, timeline, budget, public information campaign, and any associated election and referendum), which will be brought to the TEC no later than the December 2019 Special Meeting for consideration and decision to execute Article XII – Amendment.

The MCT Administration is requested to publish a public notice of this July 8, 2019 Statement. The White Earth Nation Administration is directed to publish a public notice of this July 8, 2019 Statement via Facebook, Everyone Email, Anishinaabeg Today, the RBC Building Entrance, the Administration desk, and at Community Centers.

Secretary-Treasurer Roy read 1st motion and requested to discuss each article separately.

1. Motion for the MCT Legal Advisor and MCT Staff to coordinate with individual Bands and concurrently assess Article II – Enrollments for Amendment as related to Resolutions 31-15, 32-15 and to develop a third Resolution that addresses findings related to the Enrollment Impact Report due October 2019, which all associated and final proposals will be brought to the TEC no later than the December 2019 Special Meeting for consideration and decision related to Article XII – Amendment.

Secretary-Treasurer Roy explained the motion was to take a look at enrollment. President Chavers asked could the Minnesota Chippewa Tribe staff have report done at this time. Secretary-Treasurer Roy stated that this is an assessment.

Chairman Jackson responded that enrollment has been a big priority. These resolutions that have been sitting there have not been acted on. Before making decisions he would like to consult with constituents. Elders have expressed their concern. How do you address how members got enrolled without any Minnesota Chippewa Tribe blood? There isn't any quick fix, but it needs to be brought forth. Having this done in a voting process which is the right way to do it, we can forgive but don't forget. Need to make sure it's done and information is shared.

President Chavers stated Secretary-Treasurer Roy presented at the last meeting, 1089 people that were wrongfully listed. It's a huge project, if there are errors in blood quantum's we need to prove it. It would affect enrollment for thousands of people. We need all facts in front of us. The enrollment needs to get fixed or corrected.

Frank Reese responded include other Indian blood, if you had an election today.

Secretary-Treasurer Roy stated these resolutions are standing, we need to access them. Move on or if not feasible need to revisit.

George Goggeye informed the Committee that people are being illegally enrolled in the past. There were illegal transfers from one band to another.

Secretary-Treasurer Roy stated there are illegal enrollees, need enrollment integrity. Always comes back to a person to make a decision. Clan mother/women should be at the center. He suggested we approach this issue very cautiously.

Comments and Discussion on enrollment.

Motion by Secretary-Treasurer McCormick, concurrently. We are un-tabling these resolutions? From Grand Portages prospective would like to un-table and have brought forward.

Secretary-Treasurer Roy explained that these resolutions are still active, address them as they are and how they would be implemented in the constitution. Enrollment impact report. Are we taking care of original blood line or the new people? Need to access the old blood and new blood as related to article II.

Phil asked in content why they were tabled. President Chavers responded the resolutions were tabled due to the Constitutional reform.

Chairman Dupuis responded until the election in June.

Secretary-Treasurer LaRose asked are these other tribes in other countries going to support our resolutions. Chairman Dupuis responded we need to look at the fractionated system.

President Chavers stated there is a motion to approve the assessment #1.
Motion by Secretary-Treasurer Roy to approve the assessment # 1 regarding the enrollment resolutions. Seconded by Acting Chairman Tibbetts.

Roll Call vote:

Secretary-Treasurer Morrison - Yes
Chief Executive Benjamin - Yes
Secretary-Treasurer Boyd - Yes
Secretary-Treasurer Martineau - Yes
Chairman Dupuis - Yes
Secretary-Treasurer McCormick - Yes
Vice Chair Spry - Yes
Secretary-Treasurer Roy - Yes
Acting Chairman Tibbetts - Yes
Chairman Jackson - Yes
Secretary-Treasurer LaRose - Yes

Vote count: 11 For, 0 Against, 0 Silent. Carried.

2. Motion for the MCT Legal Advisor and MCT Staff to coordinate with individual Bands, the Constitutional Reform Committee and concurrently assess Article IV – Elections, Section 4, for Amendment, which all associated and final proposals will be brought to the TEC no later than the December 2019 Special Meeting for consideration and decision related to Article XII – Amendment.

Chairman Jackson asked for clarification. Isn't the Constitutional Reform Committee working on this? President Chavers responded the Constitutional Reform Committee is to educate band members on the Minnesota Chippewa Tribe Constitution.

Chairman Jackson stated working on criteria that should be membership driven. Frank Reese responded this is in reference to committing a felony while in office against the band.

Chairman Dupuis asked what the assessment is; it's a political driven secretarial election. What are we assessing?

Secretary-Treasurer Roy responded specially Section IV, non-conformation; need to be more refined, there are different felonies out there. Depriving people of rights they have in the state system.

Chairman Dupuis stated this not a violation of the Minnesota Chippewa Tribe Constitution, the violation is making interpretations without the voice of the people within this structure in executing this structure, what we are require in the Heinous Crimes Act, except if you're a member of the Minnesota Chippewa Tribe the only bond to heinous crimes act.

Wally Storbkken responded that he understood the intent was to keep people that would steal from the tribe and misappropriate tribal funds out of office. There were plenty of attorneys involved in the Election Ordinance. The Congress Act or State Act won't punish you in an expo facto law.

Secretary-Treasurer Roy stated that he is not lawyer and not as well versed. But believe there were political and personal issues involved. He would like to access and make it better; women need to be at the center.

Phil asked are we talking about proposed language.

Secretary-Treasurer Roy stated there have been multiple constitutions written. In October, the final version for Tribal Executive Committee would be approved for the people. Secretary-Treasurer McCormick asked are we relying on the Minnesota Chippewa Tribe staff to develop final proposed language for the secretarial election. Secretary-Treasurer Roy responded assess and if in that assessment language is approved by the Tribal Executive Committee then we can act on. If the language is not approved at that time we can approve and move on or drop it. Secretary-Treasurer McCormick referred to Public Law 280, are those recommendation in this letter. We are relying on attorney and staff. Secretary-Treasurer Roy responded that he would advocate for his language but Phil may come up with different language.

Phil responded that the Constitutional Convention, the Tribal Executive Committee is hands off. One option is to tell the delegates what they want and put it out there. Worried about undercutting the process they are doing. Phil stated he doesn't think it's the way it should be done.

Secretary-Treasurer Roy responded the finest legislation was written by a handful of people. It's a sacred responsibility placed on you to figure this out. You're an officer of the court, you have ethics. Advisor and staff, if you don't get it done in time its reality of the situation. Secretary-Treasurer McCormick responded this should better suited to the Constitution Delegates Committees. Secretary-Treasurer LaRose stated it won't be done in time for the election. The Constitutional meetings held on the reservations are currently working on education.

Nancy Beaulieu stated this should be for the people to decide, as leaders you are elected officials. The people have not had a referendum vote. It is good talk here, but walk the talk and become individual reservations. You're here to hear us out, your elected officials. You need to be inclusive and not act like a reservation.

President Chavers thanked Nancy for sharing her opinion and stated Secretary-Treasurer Roy did recommend. Secretary-Treasurer LaRose suggested go to the Constitution Delegates Committees. Executive Director Frazer also suggested take the issues to the Constitutional Delegates Committees. Secretary-Treasurer Roy responded it's reasonable to discuss with the Constitutional Delegates Committees.

Motion by Secretary-Treasurer Roy to have Minnesota Chippewa Tribe legal advisor and Minnesota Chippewa Tribe staff , and constitutional committee concurrently assess Article IV – Elections, Section 4, for Amendment, which all associated and final proposals will be brought to the TEC no later than the December 2019 Special Meeting for consideration and decision related to Article XII – Amendment. Seconded by Acting Chairman Tibbetts.

Roll Call vote:

Secretary-Treasurer Morrison - Yes
Chief Executive Benjamin - Yes
Secretary-Treasurer Boyd - Yes
Secretary-Treasurer Martineau - Yes
Chairman Dupuis - Yes
Secretary-Treasurer McCormick - Yes
Vice Chair Spry - Yes
Secretary-Treasurer Roy - Yes
Acting Chairman Tibbetts - Yes
Secretary-Treasurer LaRose - Yes
Chairman Jackson – Yes

Vote count: 11 For, 0 Against, 0 Silent. Carried.

3. Motion for the MCT Executive Director and MCT Staff to coordinate with individual Bands and concurrently assess the foregoing motions and to develop a plan for implementation such as June 2020 (specifically: direct coordination with federal agencies, timeline, budget, public information campaign, and any associated election and referendum), which will be brought to the TEC no later than the December 2019 Special Meeting for consideration and decision to execute Article XII – Amendment.

Motion by Secretary-Treasurer Roy to approve Option #3 as presented. Seconded by Vice Chair Spry.

Request for Roll Call vote:

Secretary-Treasurer Morrison - Yes
Chief Executive Benjamin - Yes
Secretary-Treasurer Boyd - Yes
Secretary-Treasurer Martineau - Yes
Chairman Dupuis - Yes
Secretary-Treasurer McCormick - Yes
Vice Chair Spry - Yes
Secretary-Treasurer Roy - Yes
Acting Chairman Tibbetts - Yes
Secretary-Treasurer LaRose - Yes
Chairman Jackson - Yes

Vote count: 11 For, 0 Against, 0 Silent. Carried.

MNDHS: Secretary-Treasurer Roy

Motion by Secretary-Treasurer Roy to table MNDHS. Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent. Carried.

Nancy Beaulieu presented the following information to the Committee.

Taxpayer money for extra policing for line #3. Barricades in FDL, MNPUC has no authority filing a complaint against MNPUC they have no authority on Indian land. Would appreciate support when women going against. We need to be assertive and define who we are. Be for the people not against the people. The people need to speak, preamble of the Minnesota Chippewa Tribe are the people. Sovereignty is not possessed.

Chairman Dupuis responded when tribal members are approach the way it is right now, it bothers me when it's said, you don't know who I am or where I've been. To make a statement that I don't defend our treaties. You see me sitting here, I was called a dissident, radical. I've stood in front of this body many times, I didn't go to school but I decided to educate myself. Fine with whatever you say but don't tell me I don't defend my treaty rights.

Nancy Beaulieu responded, there are a few people that do defend us as a people but there are a few that are here. At the PUC you should have all been there, they talked about our treaties and threw them aside. I told them you have no authority to hire police to keep us away from protecting our treaties. Not a personal attack on anyone, my problem is failure to consult. Need to respect, don't take it personal, it's not meant to put anyone's efforts down. Not a personal attack. You're an elected official you need to get out if you can't take it then maybe you need to get out.

Chairman Dupuis stated no intent, look at the bodies themselves. Lots of people don't go to the meetings all the meetings are open. There are 2 types of referendum to educate you. This has to be a constitutional issue. A referendum has to be a constitutional issue to be dealt with at this level.

Nancy Beaulieu stated when you decided to let the pipeline go through we didn't decide. Working on last petition, 1600 votes to get passed. Not a power struggle, just saying to include the people (manoomin).

President Chavers stated she appreciated the comments.

Chairman Jackson stated that Nancy Beaulieu raised good concerns. He clarified that he never fired anyone for speaking out. Did call for referendum for the casino project. People don't like being spoken to in a condescending way. It takes time away from your family to work for the people. We consult elder and legal team. These decisions aren't easy to come by. We met with the same, these job are very demanding.

Nancy Beaulieu stated the pipelines, mining are concerns of all the Minnesota Chippewa Tribes put together. The Minnesota Chippewa Tribe is working for the Minnesota Chippewa Tribe. That's where the problems lie, we are not being consulted. Nancy referred to President Chavers, your Chair on Treaty authority. President Chavers responded Vice Chair on 1854 Treaty Authority. Nancy asked do you think you have a lot on your plate. President Chavers responded if I'm representing our people then, No.

President Chavers responded to a question in regard to the meeting minutes, the meeting minutes are posted. Thanks for saying that. She would keep Gary informed.

Irene Benjamin responded that she understand what's Nancy Beaulieu is going through. The People are getting hurt feelings; again you are taking this personal. Some of you have a lot on your plates, maybe don't run next year. Enbridge is an important issue. You act like you're not interested, we matter. Our kids will be affected by that. We are not in this for a paycheck.

Lenny Fineday, Legal Counsel, addressed the Leech Lake issue. In regard to the budget for Constitutional Convention delegate meetings. There was not a motion formally made. The Delegates from Leech Lake want to know what's been going on with this money. What is the intention? Executive Director Frazer responded to pay for the meeting rooms, refreshments and supplies.

Michaa Aubid thanked Secretary-Treasurer Roy for bringing up the resolution for Sandy Lake and Rice Lake. Request a July 30th roll call vote.

Secretary-Treasurer Roy responded clarification - make sure the goal is to have a meeting on the 30th after or before. Will get a date.

Nancy Beaulieu asked about the rights of Manoomin.

President Chavers responded this information is going to conservation committee for Bois Forte. The problem is trying to do a general statement; each band has to do what relates to each band.

Secretary-Treasurer Roy stated the original resolution contained enforcement mechanisms that had nothing to do with the wild rice. But don't want to comprise the sovereignty of the tribe.

Chairman Dupuis stated take a resolution, might be better to go to the individual bands to protect their rice. An opinion, visit the Natural Resources department to find how they protect their rice.

Nancy Beaulieu stated we are talking about the rights of Manoomin itself.

President Chavers responded the enforcement part is the issue, get with Phil for the Rights of Manoomin to cover over all.

Secretary-Treasurer McCormick when you playback what has been said – it is the perception. The issues of land transfer, the realty staff has been working on this for years with different formats for each band. When you come to speak, talk about issues so we can be positive and work on them, we want to see action. Spent a lot of time on context, educate ourselves on what the people want. We want to be proactive.

Frank Reese stated there is a video of legal counsel referring to a resolution passed changing secretarial elections. Phil responded that it was a motion. Frank stated its on video. Phil stated, I misspoke it was a motion. Lots of discussion – point of order, how did it come about. Why did you say that, Phil stated he misspoke, made a mistake.

The Constitution is to preserve and maintain justice for the members. What is the purpose of the Minnesota Chippewa Tribe? Your purpose is to maintain justice for its members. How does Tribal Executive Committee maintain justice for members whose constitutional rights have been violated?

Secretary-Treasurer Roy responded it would have to be constitutional related and defined. That's how you address these injustices.

Talk about something easy like calling the lawyer. It is your authority to follow protocol. Give this guy the authority to represent me. Invoke your authority to employ legal counsel to help me.

President Chavers stated these are good points and we need to discuss. We pay for Phil's time and even pay for our attorney.

Frank Reese asked about rights of members article XIII, Indian civil rights act. Secretary-Treasurer LaRose stated one tribal council can't terminate.

Motion by Acting Chairman Tibbetts to adjourn the meeting at 6:27 p.m. Seconded by Vice Chair Spry. 11 For, 0 Against, 0 Silent. Carried.