

SUMMARY REPORT

Fond du Lac Band of Lake Superior Chippewa MCT CONSTITUTIONAL CONVENTION MEETING #4

November 20-21, 2017 | Carlton, MN

Facilitated by: The Native Nations Institute, University of Arizona
Joan Timeche, Executive Director

Lindsay Riggs, Tribal Services Program Coordinator

Danielle Hiraldo, Outreach Specialist/Senior Researcher

Sponsored by the Minnesota Chippewa Tribe and Native Governance Center

SUMMARY REPORT
FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA
MCT CONSTITUTIONAL CONVENTION MEETING #4

Presented, Facilitated, & Reported by the Native Nations Institute
University of Arizona

Sponsored by the Native Governance Center and Minnesota Chippewa Tribe
Carlton, Minnesota | November 20-21, 2017

The Minnesota Chippewa Tribe (MCT) hosted a series of community meetings beginning August 2017. This report is a summary of the fourth gathering held in the Fond du Lac Band of Lake Superior Chippewa (FDL) community on November 20-21, 2017. The meetings were intended to provide the MCT members/citizens educational information on the existing MCT constitution and begin the process for its revision.

Day 1 | Monday, November 20, 2017

Location: Black Bear Hotel Casino & Event Center, Otter Creek Event Center

Day 1 session began at 12:30 p.m. with an introduction and welcome from Kevin Dupuis, MCT President and Chairman of Fond du Lac Band. He introduced Charlie Smith to deliver the opening prayer. President Dupuis stated that the agenda will shift on Day 2 as the local facilitators will lead a deep dive into the 15 Articles of the MCT Constitution. Wayne Ducheneaux II (Cheyenne River Sioux Tribe), Executive Director of the Native Governance Center (NGC), introduced NGC and explained its role as a resource throughout the MCT Constitutional Convention process. Ducheneaux introduced Rebecca Crooks-Stratton (Shakopee Mdewakanton Sioux Community), NGC's Program Director, and Native Nations Institute (NNI) staff, Joan Timeche (Hopi), Executive Director, and Danielle Hiraldo (Lumbee), Outreach Specialist/Senior Researcher. Timeche reviewed the agenda for the day (see **Appendix A**). 151 participants signed in for both days. Participants were encouraged to sign in but was optional. There were several individuals who chose not to sign in. Fond du Lac moderators were introduced: Thomas Howes and Dale Greene.

MCT Counsel Phil Brodeen (Bois Forte Band of Chippewa) presented **SESSION 1: THE DEVELOPMENT OF THE MCT & CURRENT STRUCTURE**. His presentation covered the history of the MCT Constitution, the powers and duties of the Tribal Executive Committee (TEC) and Reservation Business Committees (RBC), and the constitution's day-to-day operations (Administration, Education, Finance, Human Services departments). Brodeen discussed important federal laws that apply to the MCT Constitution (General Allotment Act, Nelson Act of 1889, Indian Reorganization Act of 1934).

Some of the questions and comments included the following:

- Participant asked Brodeen to explain the Reservation Business Committee enrollment process.
 - Brodeen stated that no process exists, there are implementation processes at individual bands, but all enrollment goes to MCT.
- Participant asked about Article V, Section 1 (h). Should the current constitution be altered to allow for tribal courts to be constitutional?
 - Brodeen stated that the constitution is ambiguous. Nowhere in the constitution does it mention tribal courts. There is a need to define the specific government structure that MCT membership wants.

After Brodeen's presentation, Moderator Tom facilitated the discussion: ***Does the current MCT Constitution accurately reflect who we are as a people today?*** Participants responded with the following:

- No, it does not accurately reflect us as a people. I always think about United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). It is true liberation for the people and creates a nation-to-nation relationship. Any constitution that holds its allegiance to the U.S. does not reflect UNDRIP and then it's on the wrong road.
- Look at Amendment 4 - disqualification of offenses of felonies. If you stay true to this amendment, then we are not better than the colonial government. The constitution does not mention equal rights or equal protection. We used to practice banishment. The constitution does not have due process.
- Of course not, the constitution does not reflect who we are today or when we originally adopted in 1936. It is a mechanism to implement resources/monies. I think we have an identity crisis. We talk about band, tribe, reservation to describe who we are. Because of historical events/trauma, we have an identity crisis. We don't act like relatives any more. When the U.S. made the first treaty it never intended to meet obligations nor return funding when they stole land/resources (timber). A lot of money was made through the sale of land/resources. We were forced to stay on one reservation and no longer be nomadic. MCT constitution describes money and resources, but not a government. What's really important? We as a people need to figure out who we are before we start putting things on paper. Are we six separate reservations? Or are we still banded together? Will we continue to dice and slice, or are we still one? That constitution is an agreement that we are to make as a people, it states these are rules that we are going to follow.
- MCT does not reflect us as a people. We've talked about reform for the last 22 years, but we've not made any kind of change. Enrollment in 1941 allowed anyone to enroll, then in 1964 came the inclusion of blood quantum. There has been no big effort to change. We need to think about how to discuss topics of enrollment and then put something up for a vote. The second concern is equal rights. We don't have way to defend ourselves. Policy helps with arrests, but not all are innocent. RBCs (Reservation Business Committees) are not tribal councils; they are RBCs. Before, RBCs made a motion, then they were seconded. We made the changes, then it went to the TEC. We could go back to that process. Let the people make the recommendations and make changes that way.
- It never has reflected us as a people. In 1871, Congress passed "Plenary Power Act" and we became domestic dependent nations. In '71, boarding schools act passed and that continues to affect us. In 1920 the consolidated Chippewa had \$50 million dollars. Congress passed legislation that it would no longer recognize traditional headmen or governance. BIA swindled the money. In 1947, Indian Claims Commission-- even through mismanagement-- our TEC accepted \$20 million on our behalf for the \$50 million. We still have hard feelings. All six reservations received an equal share. 1963 revisions gave very little influence because leaders didn't have money. If the 15 articles in the MCT constitution do not have interpretation powers, then we shouldn't have them. The last line in Article XIII states that we are entitled to "due process of law." That means if we want to alter, change, amend constitution then it would reflect what we want or need.
- I wanted to hear a female voice among sea of males; traditionally we've always had a voice. It doesn't reflect who we because we didn't write it; it was based on U.S. Constitution. One elder talked about ways people could voice concerns. We need to open the discussion for constituent voices to be heard. We did not draw international boundaries; Anishinaabe in Canada are still family.

Crooks-Stratton led the **SESSION 2: THINKING STRATEGICALLY ABOUT MCT'S FUTURE** exercise. She instructed the participants to individually complete the following sentence: *"I want my (grand)children to live in a tribal community where..."*. After writing their individual responses on large Post-Its, participants were asked to share their responses with their small groups. See **TABLE 1** for the individual responses. NNI categorized the responses thematically into the following:

- Drug and Alcohol Free
- Safe
- Speak our language
- Health Care
- Adequate Housing
- Sense of Community
- Membership Determined by Culture and Tradition
- Guided by Culture
- Equity and Fairness
- Everyone Has a Voice
- Protect our Resources
- Clean Environment

Later, Crooks-Stratton asked the small groups to share their ideas. The following are reports from the small tables:

- A table with the youth group wanted a completely alcohol and drug free community. They want to live in a gang violent free community that incorporates Anishinaabe 7 teachings.
- We should always have right to gather resources, allow community voices to be heard, educate on history, and respect all.
- There is equality, safety, housing, clean water, and opportunity.
- There is more culture and equality in our communities. It takes a village to raise a child who need more positive guidance. We are not colonized and they [youth] can be themselves.
- They are safe and respected. Some students were not respected and had problems learning in public schools. They felt respect when transferred over to an Ojibwe school.
- There is a safe community for people; where Ojibwe is the first language; where voices are heard and understood; and there is equal opportunity regardless of identity.
- There are reasons to stay.
- They don't inherent corporate hegemonic form of governance, but we infuse our own cosmology where all things have rights, not just people; we have a philosophy and then we have actions. Current paradigm we follow is domain of all things. There is a hierarchy. We need our worldview back.
- There is trust in leadership; where teaching and heritage are readily available; and they are proud of where they came from.
- People belong to the community and are considered important; the community values safety, being educated, and obtaining a good quality of life; leadership works for all of us and eliminates all of oppression; and there is drug free community that values education and life experience.
- They know about separation of powers; they can thrive and question authority without repercussions; and there are more Native women decision makers.
- They continue to respect others; they invest in totally renewable energies, organic farmed food, and learn their culture; and they have food and water.
- They share everything in common; they increase the land base and their grandchildren are recognized as members of reservation; and there is a drug free community.
- Our worldview is understood.
- It is safe and the ability to control/decide direction of life.

Crooks-Stratton noted that reform takes time and you have to gauge community. It's not easy process. She asked if anything was missed. Participants stated the following:

- We need to understand that some members were being forced to move off the reservation because of the Indian Relocation Act.
- Native people that were forced to live off reservation need a place where they could be proud and be accepted. And they need to know that they it's not their fault, it's the system's fault.
- Speak the language. When we come back in 7 generations, I hope that we are speaking our first language and go back to revising MCT constitution.

TABLE 1. SESSION 2: THINKING STRATEGICALLY ABOUT MCT'S FUTURE

Complete the following sentence: *"I want my (grand)children to live in a tribal community where..."*

Drug and Alcohol Free	Safe	Speak our language	Reasons to Stay	Health Care	Adequate Housing	Sense of Community
[It is] drug free.	[There is] safety.	We speak our first language and [are] revising our MCT constitution.	[They are] safe, educated and [where] they can obtain a good quality of life.	[There is] health care.	[There is] adequate housing.	[They] share everything in common as a whole; united. It was this way until [the] 1972 Secretary Election.
[It is] a drug free community.	My children and grandchildren live in a gang, violence free community.	[There is] language revitalization.	[They] value education and life experiences.		[There is] elder housing.	We are growing, i.e. language, arts, treaty rights; [a] real community.
[It is a] drug free environment for our future generations.	They are safe from violence.	[It is a] culturally focused, language centered, drug free community	It takes a village to raise a child.		[There is] housing.	(We) They can properly be educated on our history; (to be able to heal as one and succeed together).
[There is] no substance abuse!	[It is] violence free.	Ojibwe is their first language.	Grandmother guidance; all the drugs/alcohol [is] off the reservation; [and there is] natural organic food.			Those who had to move off-reservation can be proud of who they are, they are still connected to the reservation.
[It is] clean and safe and sober.	They can feel safe and are able to get good opportunities to get to know about who they are and their heritage. Also get opportunities for a good life away from the community.	There is trust in leadership; where heritage and teachings are readily available; where they can be proud of the people before them, and where women have taken back their traditional roles in leadership.	[They can] unplug from internet and take what you need and [leave] the rest.			There is more togetherness.

Drug and Alcohol Free	Safe	Speak our language	Reasons to Stay	Health Care	Adequate Housing	Sense of Community
It is drug, alcohol and violence free.	They are safe and respected.					There is no government because the community <u>is</u> the government!
[It] is completely alcohol and drug free environment .	They will be safe.					
	[It is a] safe community for our people; [there is] strategic planning for OUR future; [and a] change environment process.					
	My children and grandchildren grow up in a tribal community where its safe from violence and drugs.					

Membership Determined by Culture and Tradition	Guided by Culture	Equity and Fairness	Everyone Has a Voice	Protect our Resources	Clean Environment
Membership is determined by grandmothers, mothers - great aunts; [That] children are deemed our relatives.	[They are] healthy and rich in our culture; the people are the voice of our tribe.	They can be themselves.	[They] works for all of us - eliminate oppression.	We will increase the land base.	They have <u>organic</u> food, learn their culture, language, arts and <u>have clean</u> safe water and wild rice.
Membership [is] decided by more of a traditional model rather than a blood quantum model.	[They are] free to practice Tradition.	There is more guidance.	People belong to the community [and] know that	We always have the right to gather our resources.	[They are a] totally renewable energy self-sufficient reservation.

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			they are important.		
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Membership Determined by Culture and Tradition	Guided by Culture	Equity and Fairness	Everyone Has a Voice	Protect our Resources	Clean Environment
Where are grandchildren are recognized as members of the Reservations.	[They] know their identity and to be proud to be who they are.	Everyone is held accountable for their behavior.	IKWE more Native and women decision makers.	We will be able to hunt and gather and fish.	We have clean water.
	Traditional medicines are used rather than prescriptions.	They are safe and able to control and decide their direction and life.	[There are] questions without repercussions?		They are able drink water. Not oil.
	Our youth continue to learn to respect others, [and] be proud of their heritage.	[There is an] ability to thrive.	[There is] Inclusiveness.		[They have] natural medicines.
	Traditional medicines [are] protected.	[There is] opportunity.	[It is] a community where anyone's voice will be heard.		
	We aren't colonized!	We are all respected.	Their voice is heard and understood.		
	Where they can live the values and principles of mino-bimaadiziwin ("the good life").	[There is] separation of power.	[There is] equality of opportunity with positive identity.		
	There is more culture!	Everyone is respected.	[They can] be heard when they speak English/ Ojibwe.		
	[There is] culture.	[There is] fairness.			
	[They] do not lose sight of their cultural values and teachings in a faster changing society.	[There is] consistency.			
	[They are] Anishabeg Mino Bimadizaiwiin (Living the good life).	There's equality.			

	Our cosmology is upheld, our worldview leads to philosophy, values and actions.	[There is] equality.			
	[They] find balance in our beliefs!!!				

Hirald presented **SESSION 3: GOVERNMENT & CONSTITUTIONS: WHAT THEY ARE, DO, & LOOK LIKE ACROSS INDIAN COUNTRY**. She began by asking the participants to think about how they governed prior to adopting a written constitution. Participants discussed the concept of hereditary chiefs in their communities, spokespersons, clans, women’s roles, to name a few. The presentation reviewed traditional Indigenous governing systems, contemporary structures, and the role constitutions play in governing.

Following the presentation, Timeche facilitated **SESSION 5, ROUND 1: HOW DO WE STRENGTHEN THE MCT & BAND GOVERNMENTS?** Participants were asked to consider *What’s WORKING with the existing constitution of the: MCT overall? Tribal Executive Committee (TEC)? Reservation Business Committees (RBCs)?* They were prompted to respond individually and then in small groups discuss their responses. NNI recorded the individual responses and categorized them accordingly (see **TABLE 2**).

TABLE 2. What’s WORKING with the existing constitution:

What’s Working		
MCT	TEC	RBC
We are here learning. =)	Implement and enforce.	RBC- Flexibility of local control - communication with membership.
Finally know meeting locations and home loan programs.	Keep us together and increase collective power.	RBCs have made many times competent decisions for the people, business, education, cultural and social.
The [convention] is finally happening.	Equal representation works at this time for all 6 reservations.	National rights, and limits on RBC authority.
Informed.	-Elections -Membership -Programs for needed services	Listening to the community.
Federal systems with independent band governments.	We are here learning.	Accountability and consistency.
United	They had to agree to have this convention.	Allows the people to voice their opinions without recourse.
Have a structured government system, though not ours.	Good boys club is finally out and new structure is in place and more knowledge for the people.	RBC- Providing services to government and deal with federal and state.
MCT overall - Programs continue to provide needed services to individuals.	Keeping the tribal bands together despite how <u>BAD</u> people think it is. It works if it is followed. TEC- keeping bands together making decisions that affect all members	
	TEC- I feel you need more voices because two people isn’t enough, it gives them unnecessary stress and it makes it so they can’t focus on their job	

	Power over RBC to make individual reservations	
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The groups reported the following:

- *What's working with MCT overall?*
 - Meeting locations; the home loaners program.
 - The [constitutions] convention is finally happening.
 - We have established an existence, a history, meetings are taking place, relationships have been established and are in process; and there is a recognition of historical trauma.
 - We are keeping some semblance of government in place.
 - The IRA has slowly attempted to replant itself.
 - The MCT provides rights and limits governmental authority of those rights.
 - Meets every Monday night with tribal chairs.
 - It is a structured government system, though not ours.
- *What's working with Tribal Executive Committee (TEC)?*
 - TEC agreed to have this convention.
 - We have local representation with Chair, Vice Chair, Secretary, and Treasurer.
 - Home loans/finance
 - Governance measures of six governing systems of Chippewa.
 - We are collaborators in the transfer of resources.
 - We have overarching systems (elections, membership)
 - It keeps us together.
- *What's working with Reservation Business Committees (RBCs)?*
 - There is accountability and consistency.
 - Allowing people to finally voice their opinions without recourse.
 - Open RBC meetings.
 - Updates are provided.
 - They respond to band members
 - There is accountability to band members
 - RBC provides flexibility for local control and means to communicate with the local governing body
 - They make competent decisions for the people: businesses, education, and social

Day 2 | Tuesday, November 21, 2017

Location: Black Bear Hotel Casino & Event Center, Otter Creek Event Center

Day 2 started at 8:30 a.m. with a welcome from the Chairman and a prayer from Charlie Smith. Ducheneaux reviewed DAY 1 DISCUSSIONS and DAY 2 AGENDA.

Timeche presented a shortened version of **SESSION 4: WHY ARE SOME NATIVE NATIONS MORE SUCCESSFUL THAN OTHERS?** The presentation included a short video that highlighted the five principles of Native Nation Building. Timeche compared the results of the standard approach and the alternative, Native Nation Building.

For the sake of time the agenda was changed and Timeche continued the Day 1 discussion with **SESSION 5, ROUND 2: HOW DO WE STRENGTHEN THE MCT & BAND GOVERNMENTS?** They were asked to consider *What's NOT WORKING with the existing constitution of the: MCT overall? Tribal Executive Committee (TEC)? Reservation Business Committees (RBCs)?* Participants were prompted to respond

individually and then in small groups discuss their responses. NNI recorded the individual responses and categorized them accordingly (see **TABLE 3**).

TABLE 3. What's NOT WORKING with the existing constitution

What's Not Working		
MCT	TEC	RBC
Does NOT represent us (who we are) • MCT • TEC • RBC	Our constitution has been amended to protect the RBC's and the TEC.	What's not working at this level is there is not a SEPARATION between business and government, so change the thought of RBC to a reservation tribal committee.
Should need to stop giving our authority to the U.S. government for our own self-determination.	TEC should be made up of MCT membership by the election and not the RBC members.	Duplication and clarity of TEC and RBC's powers and duties.
Follow the Constitution! it's the Law of the land. It's not old or outdated.	Too much authority or power in 5/12 elected leaders.	No structured meetings.
MCT Bands not unified, competing	Separation of power for TEC/RBC.	RBC- Micromanage programs and service
This leaves families divided - some enrolled if born before 1961 and some not. Lack of clarity regarding interpretations.	Tribes are not equally represented on the TEC Board with the members we serve.	RBC - Gossiping and hearsay kills dialogue.
Problem: No participation nor informed consent via Article VII.	Lack of written opinions when TEC interprets MCT constitution.	RBC: Constitution is just protection for the RBC members. Makes them untouchable.
Lack of independent court at MCT level.	Lack of debate and discussion of issues before voting.	Not working: Lack of defined responsibility of elected officials. Fairness in [distinguishing] [constitution] only allows 5 members.
Goggleye: Elder Services.	Separation of TEC and RBC. Band members should be in TEC.	RBC should be 'reservation tribal governments.'
Weak executive.	TEC - In fighting and bullying affects community.	RBC needs to restructure departments. And then stay out, let them do their jobs
MCT constitution is outdated.	No decisiveness.	Limit to 1 term otherwise too complacent.
MCT: Younger generation isn't educated on the constitution.	There is no way of removing a TEC member.	RBC- Blackballing if your (sic) outspoken.
-Divisiveness (MCT) (Bands <u>NEED</u> to be united.) -All must have clear understanding of issues and results of decisions (TEC).	TEC- No membership or involvement.	RBC - nepotism in jobs, programs everything.

Tribal Constitution needs bill of rights by the tribal [constituents].	TEC: No separation of powers.	RBC - Some are not educated enough in the knowledge of our constitution.
Too many Constitution administrative layers with MCT/RBC.	TEC - Officials do not bring the information back to the people.	Should have separate powers on each reservation!
Support Small Business <ul style="list-style-type: none"> • Recognition • Loans • Grants • Contract priority 	Blood Quantum/Enrollment; Equal distribution of powers; Representation on TEC level.	Lack of working knowledge of the constitution of by the people.
Enrollment regarding 1/4 and less than 1/4 with a cutoff date and then opened twice and now closed.	Isolation.	
MCT: No mechanism to enforce the constitution.	No equal and fair representation.	
No total agreements on proposal funding.	It restricts MCT tribes from determining their own criteria for enrollment process.	
Lack of working knowledge of the constitution of by the people.	Limited enrollment criteria using only some Ojibwe communities is limiting.	
	Enrollment criteria should be based on traditional practice of community, parents, spirit, name, clan.	
	Power over RBCs to make individual reservations.	
	Lack of working knowledge of the constitution of by the people.	

The groups reported the following (does not include duplicate in Table 3):

- *What's NOT working with MCT overall?*
 - Need representation
 - Possibly call [it] something other than "constitution".
 - Blood quantum.
 - Preamble gives authority to U.S. government, we accept their authority over us.
 - Send letter to band members to let them know when the meetings are taking place.
 - Need more voices, two people not enough, gives unnecessary stress that makes them not focus on the job.
 - Amend Article III- separate the officers (President, Vice-President, Treasurer/Secretary) from the TEC.
 - Isolation from the public (e.g. transportation).
 - Lack of technology to watch over internet.
 - No transparency.
 - FDL elder services - more services for the adult day care according to their needs.
 - Too distant and unresponsive.
 - We're still at bottom of social indicators in Minnesota.
 - Bureaucratization of meetings that represent systems of the oppressor.

- The membership/people are left out of the decision-making. Including the affected Indians and how decisions are made.
- Prior, free, and informed consent of the people; that's the law; must go through referendum process.
- Lack of deliberation in TEC and RBC, we never get to hear why votes are made; would like to hear "why" the representatives are voting for or against something.
- *What's NOT working with Tribal Executive Committee (TEC)?*
 - There is no way of removing TEC/RBC members; resolutions that make it hard to remove them.
 - [A lack of] clear understanding of issues.
 - Lack of clarity.
 - Add more members to have equal representation.
 - Four body represented.
 - [Lack of] freedom of the press from many government influences.
 - It is too cumbersome to be placed on the agenda.
 - Politics of exclusion than inclusion.
 - Informed participation and consent of the affected Indians.
- *What's NOT working with Reservation Business Committees (RBCs)?*
 - Reservation politics.
 - Unequal representation.
 - Personality conflicts.
 - Fake news influence on Facebook.
 - "Trickledown effect" - RBCs react instead of lead; most decisions are made without the informed participation and consent of the affected members.
 - Too powerful because of the way they are setup - MCT and TEC just sit by while they are doing this to our people.

Themes heard from the discussion include:

- Lack of consultation, representation, accountability
- More deliberation and discussion
- Enforcement/mechanism
- Lack of understanding of the constitution or its history
- Separation of powers, judicial powers, including culture and tradition
- Enrollment

A participant spoke about the federal legislation that impacted the tribes and how they affect the children and grandchildren. Enrollment problems impact how children are seen as "Indian" to outside governments, especially with ICWA and children in the foster system.

Timeche followed the discussion with **SESSION 5, ROUND 3: HOW DO WE STRENGTHEN THE MCT & BAND GOVERNMENTS?** asking the participants to consider: *Of the issues identified in previous rounds, how might we address some of the key issues?* TABLE 4 lists the individual responses.

TABLE 4. How might we address some of the key issues?

Involvement	Specific Changes to the Constitution	Communication	Enrollment	Incorporate Tradition	Rewrite	Government Structure
Total tribal membership should be involved in developing a governing document.	Turn committees into elected positions and call them Councils.	Adequate information sharing- enough time to absorb [by] membership.	Change enrollment to decadency [descendancy].	Rebuild a traditional council -Clans -Elders -Chiefs -Ogimaa	Draft a constitution in a plain language that everyone can understand.	Limited on tribal government but a representative council, less law - but on good terms with the creator.
Membership involvement.	Increase accountability community input.	MCT needs a social media and a media channel and Facebook page.	Each tribe/band should write their own enrollment policy.	Need the 7 teachings.	Use our language to write the constitution. If we can't write it in Ojibwe we shouldn't do it. Use check of original tracking in every article. "Does this sentence reflect our values?"	More community discipline rather than county.
Education- Not posted to be able to discuss or have input written.	Uniformity for all bands in policies and procedures.	[Have] meetings during non-business day.	Enrollment needs meaningful discussion.	Reinstitute the clan and Band system.	Write our own constitution.	
I feel we, the people, can help the government take the next step into the future	Remove independent thinking -- more in terms of tribal interest rather than self-interest. Think more of "we" instead of "me."	Letter to all affected people re: meetings.	Define who is an Indian. (Anishnaabe) -Qualifications? -Who is an elder?	<u>Problem:</u> Lack of following traditional ways in all areas, MCT, TEC, RBC. Some are and that is good. It is written, just need to include this. <u>Solution:</u> Follow/go back to traditional values and ways in all areas.		
<u>(Elders) Isolation</u> - No transportation	Procedure/Process checklist for TEC representatives to follow prior to bringing an	Provide transportation to meetings.	Define enrollment to include descendants for certain purpose,			

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Involvement	Specific Changes to the Constitution	Communication	Enrollment	Incorporate Tradition	Rewrite	Government Structure
	agenda item at meetings.		like ICWA or other services.			
Lack of trust in the verbal passing of knowledge.	TEC positions should be at-large positions from membership; MLB judicial branch should be an elected position.	More information for the community and youth.				
Lack of technology	Separating RBC, TEC powers.	Standards and curriculum unit on Tribal: -Government -Constitution -History				
No transparency	Resolve in-fighting between TEC and RBC.					
<u>Non-Structured Mtgs.</u> Too much arguing No structured schedule Topics be the non-government.	MCT orientation -for new members -term limits					
<u>Goggeye Elder Services</u> Tower Adult Daycare Empathetic towards elders	Judicial court at MCT level -Independent ethics committee/office to review issues -Fact Check before making decisions					
Solution: Membership informed participation	Community input and (part-time) advisory role					

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Involvement	Specific Changes to the Constitution	Communication	Enrollment	Incorporate Tradition	Rewrite	Government Structure
consent via MCT Article XII Amendment Process.	from community, like committees					

Additional responses verbally reported were as follows:

- Separating the powers of the government.
- Include more band member involvement in meetings, provide transportation to the meetings, and feed us.
- MCT orientation for new members that provides testing in and out of knowledge of constitution.
- Term limits with a maximum of two terms.
- Judicial appellate court at MCT.
- Consent to agenda by the membership. Why can't membership know what's happening before putting in computers?
- Executive sessions - why behind closed doors? Need an open door policy and more transparency.
- Financial - why can't membership know financials? We do not receive quarterly reports.
- Tear up constitution and envision/thinking of something new using Indigenous thoughts/Anishinaabe.
- Fully discuss enrollment before decisions are made.
- Consider "what is union?" with leadership and involvement.
- Transparency from MCT. There is a need for decisions to be made that all bands will follow.
- Blood quantum does not work. Descendancy is an option. Recognition will work during time.
- Return to own tribal justice.
- Watch Minnesota Indian Affairs Commission.
- Return to lakes to govern.
- Change the name of Minnesota Chippewa Tribe.
- Sovereignty is the responsibility to protect and defend our land - water - people - children – future; All Life!!!
- We had Wampum, we have Wampum, we will have Wampum, we had alliances, we had treaties, we had peace here. Wampum is not money. We never sold that land. What can be shared and not destroyed?
- Enrollment should be for any Native boy or girl, as long as your parents or parent is enrolled, you should have that opportunity.

Themes heard from the discussion include:

- Having more meetings
- Creating advisory committees, orientation,
- Judicial oversight/separation of powers/interpretations, ethics
- Communication-need to know when meetings are/access to agenda/having band member meetings
- Transparency - financial reporting
- Constitution - looking at it with different perspective
- Uniformity across bands
- Recommendation on enrollment to go to descendancy

Timeche discussed the importance of citizen participation. The current constitution requires 30% of eligible voters have to pass revisions. Enrollment is 39,000 across all of the bands, 18 and above years = 34,000 eligible voters. MCT needs 10,200 required to vote to pass any changes. She posed the question of "How will you ensure you receive the required vote to pass any changes?" The challenge is to get people to vote. It was noted that MCT members do not have to register for the Secretarial Election. She shared some ideas to increase member participation could be discussed in the following exercises.

Timeche and Hiraldo co-presented **SESSION 6: STRENGTHENING OUR GOVERNMENT — HOW HAVE OTHER NATIVE NATIONS ADDRESSED THE PROCESS OF REVISING OR REFORMING THEIR CONSTITUTIONS?** The presentation included a brief survey of several constitutional reform process examples. They concluded with a group discussion prompting the participants to provide recommendations for the MCT constitution process. Based on the revised agenda, they suggested to have a working lunch where the participants discussed their recommendations for their reform process.

After lunch, Hiraldo led the discussion *“Based on what we’ve heard and discussed today, our recommendations for continuing the MCT constitution process are…”*

- Tribes are not bands, they are sovereign nations. They are established under treaties. We need to understand how tribal members are established, which includes an educational session on definition of members.
- Where is the distinction between true chiefs of bands and the elected tribal officials? Some are rice chiefs, drum chiefs, there are many forms of chiefs and what is the distinction? Do the elected really listen to the true tribal leaders? Do we rely on true chiefs or elected officials? Will they rip us off? I would like this defined – do we listen to tribal chiefs or allow elected officials to speak for us? We need to consider how do we include traditional chiefs in this process.
- Remember we are brainwashed on reservations, but we are on war camps. In history, they kept us prisoners of war.
- We need to figure out a way to be inclusive. Students were brought from two schools to attend the meeting. Youth are engaged and involved and will be involved so including a youth council would be beneficial to us. They will be our future leaders so it’s good to include them in this process.
- Possibly organize by clans and address the articles in these groups.
- I support the ideas of traditional clan mothers. Our villages were not nations as such, they were clan villages/heads. Holding the tribe together were all the clans. It is painstaking to watch the challenges MCT is facing. Clan villages were our governing authorities. We had confederacies, grandfather nations, father nations, sun nations, clans interacted through all of history; we were related to all clans but had our own clan. That provided us guidance on who we were as people. It was the most unique social order in the world. Whatever we can do to hold on and honor our ancestors, to honor our future, we need to do it.
- A lot of people do not know our clan structure. Historians in the room will need to help. History is based on this. If we could create working group from all reservations, come up with educational seminar but use games for learning our history, the clan system, the treaties, etc., and make learning fun to get more people involved. They all come out for cribbage and games to draw more people and our youth. We need to ask youth for their input as time doesn’t stand still; so, need to talk to all generations. All of these challenges are up to the leaders to decide what comes out of this. We need to find ways to get people to come and talk about this.
- I agree with comments. Let’s get a gauge of how things are going by resistance. We need to ask what is driving us.
- How do we get members involved? It is always the same ole faces and I would like to see mailings. There was no information about this meeting. We need to figure a way to get members excited about this; most are complacent. They get their per cap. I am excited about politics and always will be. I am the “last of the Mohicans.” This is important as it’s our life. I would love to share more information with our people to get them excited about making changes for themselves.

After lunch, MCT President Dupuis discussed the challenges around the interpretations authority held by TEC as well as the challenge of felons not being able to hold officials. He asked participants to review

page 529 under tab 12 of their handbook to review the second paragraph that documents the treatment by the federal government that the Ojibwe people withstood.

After the small group reports on the process, Dale Greene and Tom Howes assumed the facilitation of the agenda and began the **Review of the MCT Constitution**. Greene began to review the MCT Constitution Preamble by reading it aloud to the group. Howes discussed that the format for this session would be to think about the strength and weakness of each article, and consider what is missing. Greene read the articles aloud for the radio listeners. Howes began the discussion by asking for two tables to volunteer their thoughts.

Article I: ORGANIZATION AND PURPOSE

- Weakness: Article I has to recognize who we are. Where does it say “who we are”?
- Strength: The article was organized.
- What is missing: Not exercising or including UNDRIP.

Article II: MEMBERSHIP

- Strengths: The appeal process - a person applying for enrollment is able to appeal.
- Weakness: Where does it say if you are adopted you cannot be enrolled?
 - Section C “all children of at least one...” we do not follow. People are enrolled any time.
 - Section 2. We don’t do enrollment.
 - Section 3. Doesn’t apply.
 - Membership ordinance should include requirements. Not all bands are following the ordinance the way they should be.
 - The way we are defining ourselves is not accurate.

Article III: GOVERNING BODY

- Strengths: No responses given.
- Weakness: The old TEC had limited authority. As written, it provides too much power to the TEC. Minnesota Chippewa Tribe is not a “tribe”, it is an organization. The bands are the tribal nations. Each reservation has its own elections. People from each reservation should decide their needs.
- What’s missing: Set a 2-year limit on tribal election, eight years, and elected officials have to step down. We need to ask for a term limit.

Article IV: TRIBAL ELECTIONS

- Strengths: No responses given.
- Weakness: Section 4. A violation because of the wording. A member can’t have crimes on record to hold office. Part A “Held within the reservation of their enrollment...” not enrolled, but resided entire life. Prior to 1972, you could vote on Leech Lake and run for office if you were a member of a different band. Why can you be 18 years of age and not be able to run for office, but you can vote for office? This is starting to divide us unless we are going to break down into six different reservations.
- What’s missing: No Anishinaabe protocol to be able to speak. Do not give up tribal sovereignty. Need to state who we really are.

Article V: AUTHORITIES OF THE TRIBAL EXECUTIVE COMMITTEE

- Strengths: No responses given.
- Weakness: Section B. recognizes that TEC has to be approved by the Secretary of Interior. Where did the money come from? How much is in there?
 - Section 5. TEC members are considered employees of the MCT. Meeting stipends/honorariums are given to committee members, some accept stipends and others do not.
 - TEC President receives a \$12,000 stipend for quarterly and special meetings. TEC has had monthly meetings largely because of the constitutions meetings. He turned down

the stipend. There is nothing on record that states when TEC members began to get paid.

- What's missing: No responses given.

Article VI: AUTHORITIES OF THE RESERVATION BUSINESS COMMITTEES

- Strengths: No responses given.
- Weakness: Section B. "Administer any funds..." members are in a rebuttal with RBC for this point. They didn't follow protocol. They included it in the newspaper with a budget committee. "MCT, TEC, RBC need to start reading a little bit."
 - It should be a matter of public record (budget and money). FDL has the problem because it is not on record. Members have asked several times to review it, but have not received financials.
- What's missing: No responses given.

Article VII: DURATION OF TRIBAL CONSTITUTION

- Strengths: No responses given.
- Weakness: So much federal control and Secretary of Interior control. This document cannot be tweaked. It is broken, flawed. We must start from anew.
- What's missing: If we owe allegiance to U.S., we have to have revolutionary thought and action.

Article VIII: MAJORITY VOTE

- Strengths: No responses given.
- Weakness: No responses given.
- What's missing: The rule of majority vote was based on consensus. Consensus is not 30%, 51%, or 75%, but 100%. We took the time to get there. We didn't make laws that didn't include their consensus. We did it through ceremony.

Article IX: BONDING OF TRIBAL OFFICIALS

- Strengths: Tribal official has to be bonded, namely Secretary/Treasurer. They are liable for lawsuit, correct? If they do not follow the constitution?
 - Brodeen stated this provision ensures that the person faithfully conducts official duties. The question about liability, the individual liability of tribal officials that has been litigated. Ex parte Young case, individuals who would otherwise be brought in under tribal sovereignty immunity can be sued. Indian Civil Rights Act has the authority to redress issues against Indian tribes themselves.
 - Is the RBC a quasi-sovereign because they are in government? Brodeen explained it is a matter of semantics, the band itself is sovereign. They can be both. As a collective, we are sovereign as well as a whole of the MCT. Minnesota has the same sovereign immunity as tribes. People will sue head of departments to get around immunity.
 - Each reservation is a sovereign nation. The MCT is not a tribe.
 - President Dupuis explained that he swore an oath for each office he has held (Chairman of Fond du Lac). By swearing, he doesn't believe that he is sovereign. He will agree to disagree with others. He swears to uphold another sovereign. There are no separate tribes in the MCT. There are no separate nations. If we believe who we are, Anishinaabe on both sides of the border, that makes us the largest Indigenous group in the North American continent that has an inherent right to govern, police itself. MCT is a body politic of the U.S. He doesn't believe that individual bands are separate nations. Until the document is changed, each band is a Reservation Business Committee, not a nation. The membership has to decide what they want to be called: MCT, Anishinaabe, Confederacy, whatever.
- Weakness: No responses given.
- What's missing: No responses given.

Article X: VACANCIES AND REMOVAL

- Strengths: No responses given.
- Weakness: No responses given.
- What's missing: No responses given.

Greene changed the discussion and asked participants to think about how to move forward with delegates for the convention. He posed the question:

- Should we go line by line or is every tribal council member constituent going to meet with members to guide the process? All the RBCs/leaders need to meet with constituents and form a plan to creating a new constitution or fix the broken parts.

Later, Greene returned to reviewing the articles.

Article XIII: RIGHTS OF MEMBERS

Greene discussed how he started to think about whether the RBCs should appoint two delegates each. If membership is not ready, then the people will not participate. Greene argued that MCT needs a constitutional convention that is empowered and driven by the membership. He decided to skip Articles XI and XII because the group was slowing down. Instead, he suggested they should have a discussion on delegates. He asked:

- Any thoughts on the referendum? Greene explained that they've been here before for about two years trying to rewrite whole constitution. He stated that FDL has different needs than the others.
- A participant asked why don't we have our own constitution?

Greene continued discussing how he thought the Native Nations Builders changed the "Constitutional Convention" to "Constitution Educational Session." What he envisions as a delegate is that everyone would want to protect their lifestyle, families, etc. He stated that they should serve as a headperson, representing family, children, and others as a delegate. Everyone should have a delegate even those who are here to "raise hell". They have a way of life to protect. Those who want to live in the woods have a right to protect their way of life. Those of us who want to protect portfolios and stock markets. He continued by stating that they need to value the diversity of the headmen found in our families. He followed up his discussion by asking whether the participants had any comments on potential delegate system or some discussion? Participants discussed the following:

- Thoughts on Article XIII – it represents due process and Indian Civil Rights Act and reference to banishment in particular to youth under the guise that it is traditional. Judges have cited that there is no equal rights and due process. Who has the sovereignty? There is concern about rights of the members or lack of.
- Question of delegates - There should be a working group created to discuss what they see in current constitution. This will allow the creation of an actual working session that will take information home. Leaders should find delegates to sit down and work together. Instead of saying we want this, it would be better for delegates to sit down at one table to work on a (working) document.
- Chairman Jackson stated that it is a lot of work. We should consider the population on each reservation when thinking about delegates.
- Question from a participant for the President on Bylaws (pg. 11) Article I-Duties of Officers, Section 1-Duties of the President, subsection A was posed. The question was whether he ever ran a meeting of general council, who would that include? Any MCT member? President Dupuis explained that General Council is the membership. A General Council meeting has not been held that he knows of unless it happened a long time ago. MCT adopted Robert's Rules of Order in an ordinance and FDL RBC has conflicting rules with Robert's Rules of Order.

- Choosing delegates will take a lot of respect for each other and dedication.
- Food for thought: We need to consider where/location, how long, who will pay once those questions are answered? Then members can talk about specific principles. Members need to be cautious of tyranny of the minority and also the tyranny of majority. One possible solution is each reservation would have two delegates automatically, then each will receive one depending on population.

After the conversation, Greene encouraged all participants to attend the next TEC meeting. President Dupuis took the time to clarify that five officials for FDL include three district representatives and two at-large reps.

Gary Frazer, MCT Executive Director, announced the next meeting schedules: An urban meeting will take place in St. Paul at the InterContinental Hotel and Leech Lake will begin at 10:00am on Monday and end at 3:00pm on the following day.

After raffle, the meeting adjourned at **4:34 p.m.**

At the end of the session, NNI reminded participants to submit their completed surveys.

FOND DU LAC BAND WRITTEN SURVEY RESULTS

NNI received 11 survey responses. The following pages include those responses and a preliminary analysis.

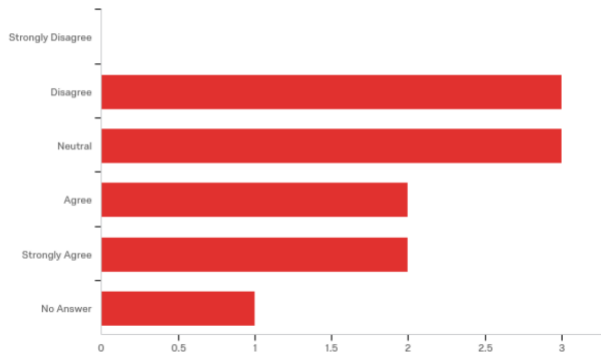
Note about survey: On the morning of the first day MCT representatives distributed a paper copy to the participants who chose to participate during the Fond du Lac Band of Lake Superior Chippewa Constitution Convention meeting. Participants submitted their completed surveys in to box at the end of each day. NNI collected the responses and recorded them into an online version through Qualtrics, a survey software. In order to maintain the integrity of the survey, an NNI staff member recorded the responses verbatim into the online software. Misspellings and illegible remarks are marked with [sic] and [illegible] respectfully.

The survey was developed to assess three main categories: level of understanding, personal views, and general information. Respondents were asked to “rate each statement by circling a number between 1-5.” **1 =Strongly Disagree; 2=Disagree; 3= Neutral; 4= Agree; 5= Strongly Agree**. There were two open-ended questions that focused on recommendations for specific changes to the MCT constitution.

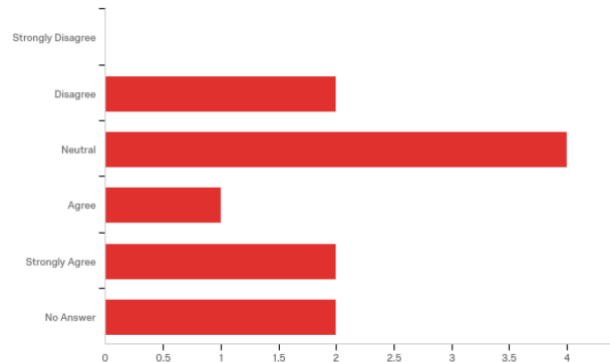
The first set of questions (Q1-4) relate to the respondent’s level of understanding of the Minnesota Chippewa Tribe. *You will notice that the respondents either “disagree” or are “neutral” with the statement that they understand the constitution (Q1); a majority were “neutral” on understanding the powers of the Tribal Executive Committee (TEC) (Q2); and evenly split (“strongly agree”, “agree”, “neutral”, and “disagree”) on understanding the powers of the Reservation Business Committees (RBCs) (Q3); and a high number remained “neutral” on understanding the way MCT government operates (Q4).*

Fond du Lac MCT Constitutional Convention Meeting, November 20-21, 2017

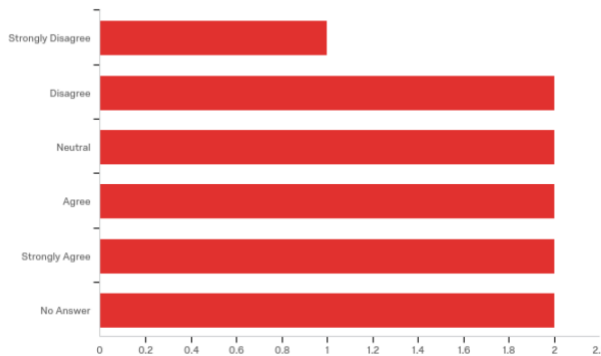
1 - I understand the Minnesota Chippewa Tribe's Constitution and Bylaws.



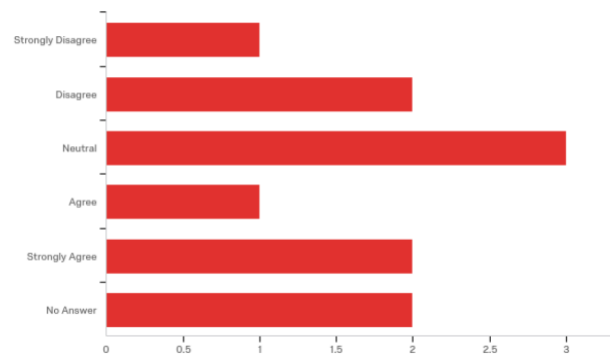
2 - I understand the powers of the Tribal Executive Committee (TEC).



3 - I understand the powers of the Reservation Business Committees (RBCs).

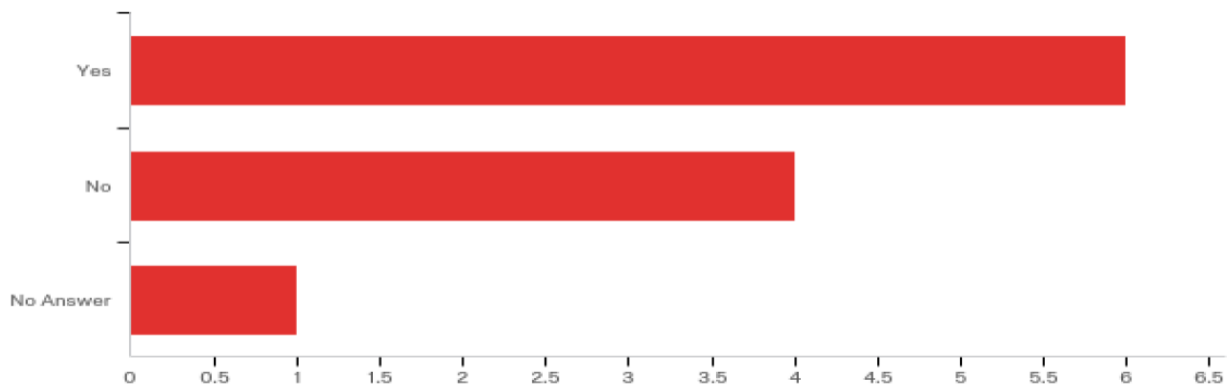


4 - I understand how the Minnesota Chippewa Tribal government operates.



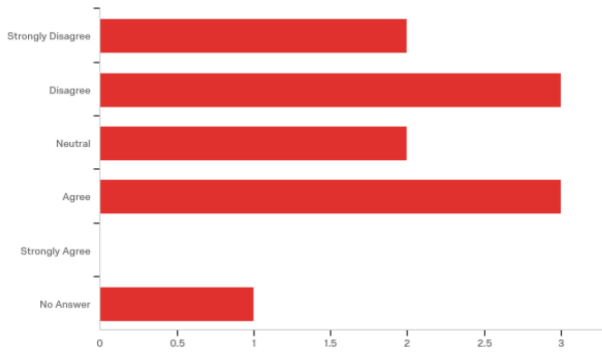
One question (Q5) was designed to inquire whether a respondent has read the MCT constitution. Of the 11 respondents 6 (54.55%) answered "yes" to having read the MCT constitution.

5 - I have read the Minnesota Chippewa Tribe's Constitution.

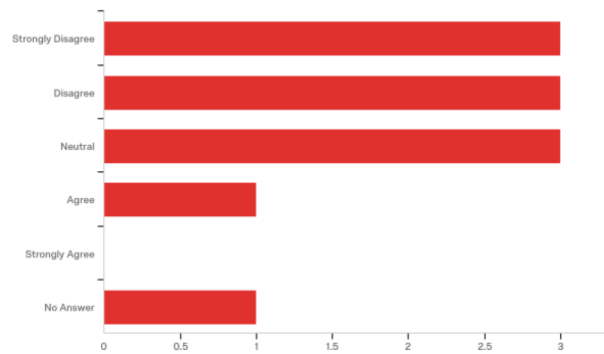


The second set of questions (Q6-10) gauge the respondent's personal views of MCT governmental functions. These questions address the perceived notions of equity, clarity, and representation within the MCT government. The graphs below illustrate that five (5) respondents chose "strongly disagree" or "disagree" as their response for whether the MCT's election process is fair compared to three (3) who "agree" (Q6). For question 7, six (6) respondents chose "strongly disagree" or "disagree" the TEC exercises power fairly. Five (5) respondents think that the qualifications to run for TEC are clear (Q8), while five (5) "strongly disagree" or "disagree" the qualifications are adequate compared to three (3) who "agree" (Q9). Respondents appear to agree that the candidate qualifications are clear; however, equity may be a concern with the execution of such powers and authorities at the TEC level. At the RBC level (Q10), five (5) respondents either "strongly disagree" or "disagree" that power is exercised fairly, although three (3) choose "neutral".

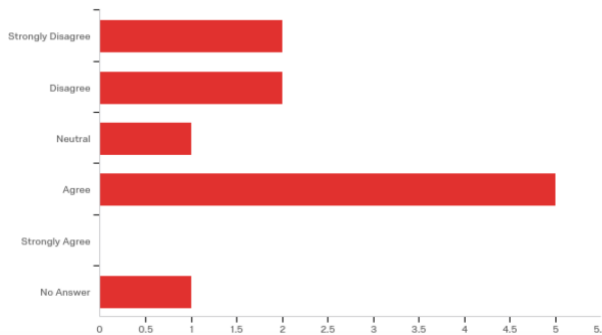
6 - The Minnesota Chippewa Tribe's election process is fair.



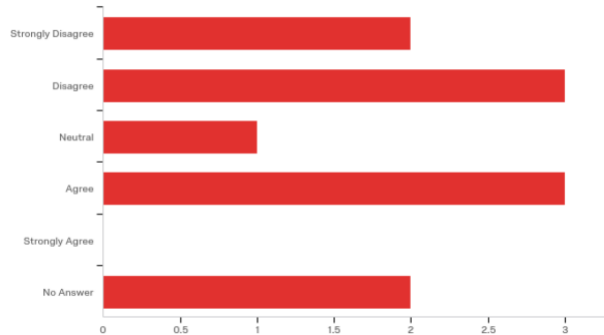
7 - The Tribal Executive Committee (TEC) exercises power fairly.



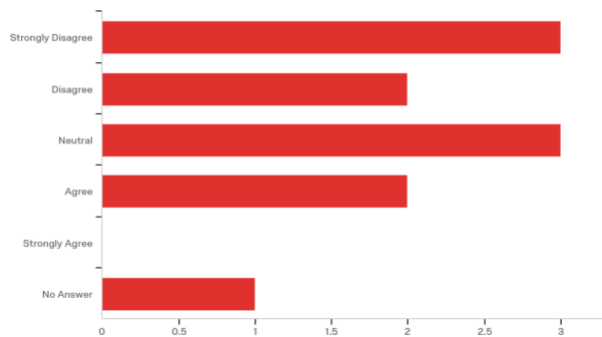
8 - The qualifications to run for the Tribal Executive Committee (TEC) are clear to me.



9 - The qualifications to run for the Tribal Executive Committee (TEC) are adequate.

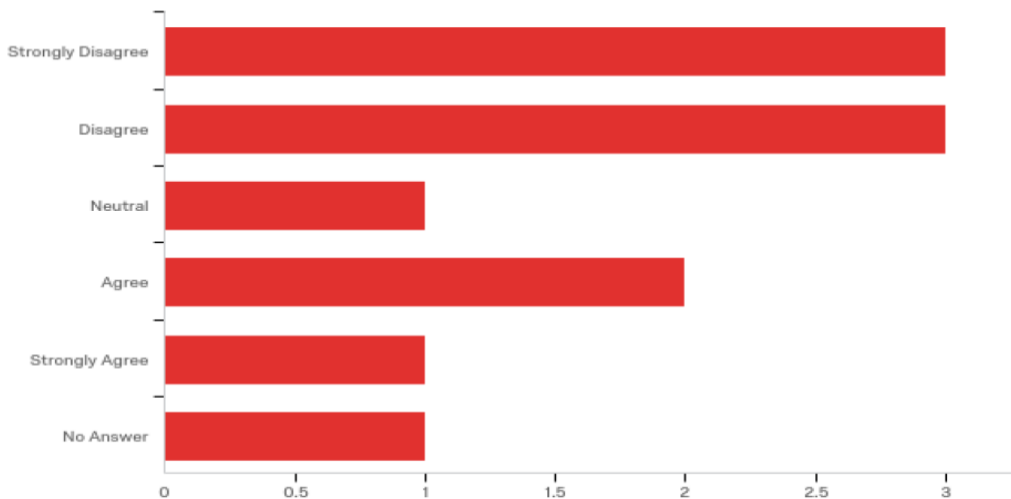


10 - The Reservation Business Committee (RBC) exercises power fairly.



Six (6) respondents either “strongly disagree” or “disagree” that the current MCT enrollment criteria reflect how they view themselves as Anishinaabe (Q11).

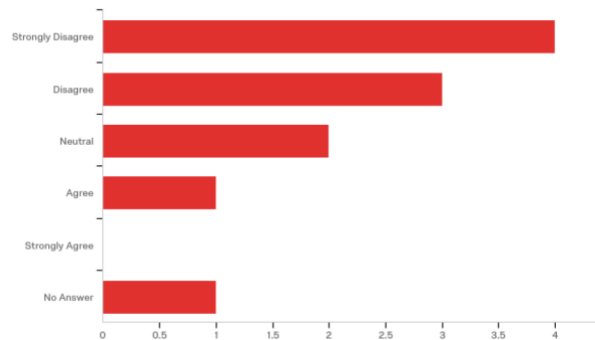
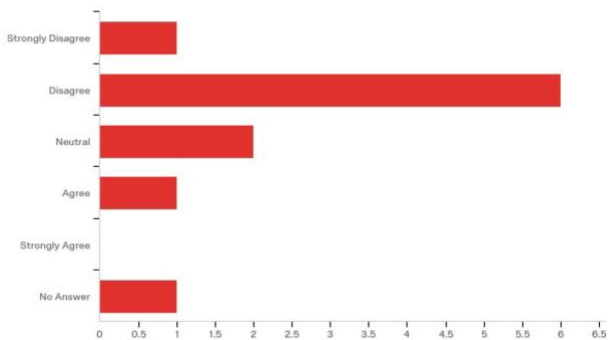
11 - Current enrollment requirements reflect how we view ourselves as Anishinaabe.



The respondents expressed the most disagreement with the statements related to representation and equity (Q12-15). Six (6) respondents “disagree” and one (1) “strongly disagree” that the bands’ needs are equally considered, compared to zero (0) strongly agree and one (1) agree responses (Q12). Four (4) respondents “strongly disagree” and three (3) “disagree” that major TEC decisions include band input (Q13). Five (5) and one (1) “strongly disagree” and “disagree,” respectively, that there is ample opportunity to address concerns within the MCT government (Q14). Finally, five (5) respondents “strongly disagree” and “disagree” with the statement that the MCT constitution serves the needs of the people compared to four (4) “neutral” and one (1) “agree” response.

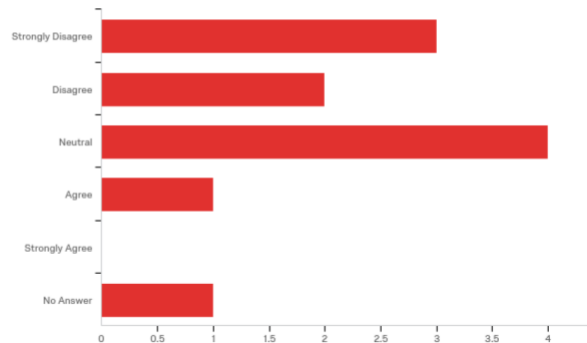
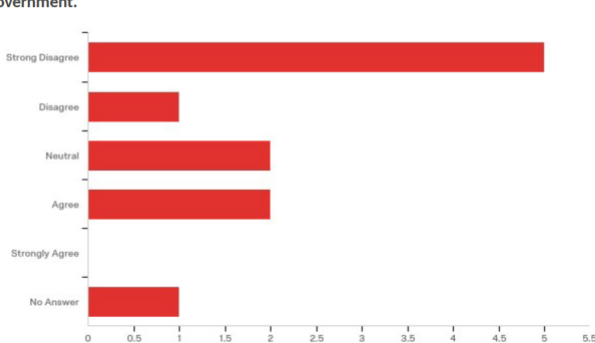
12 - The needs of each band are equally considered.

13 - Major Tribal Executive Committee (TEC) decisions include band input.



14 - There is ample opportunity to address concerns with the Minnesota Chippewa Tribal government.

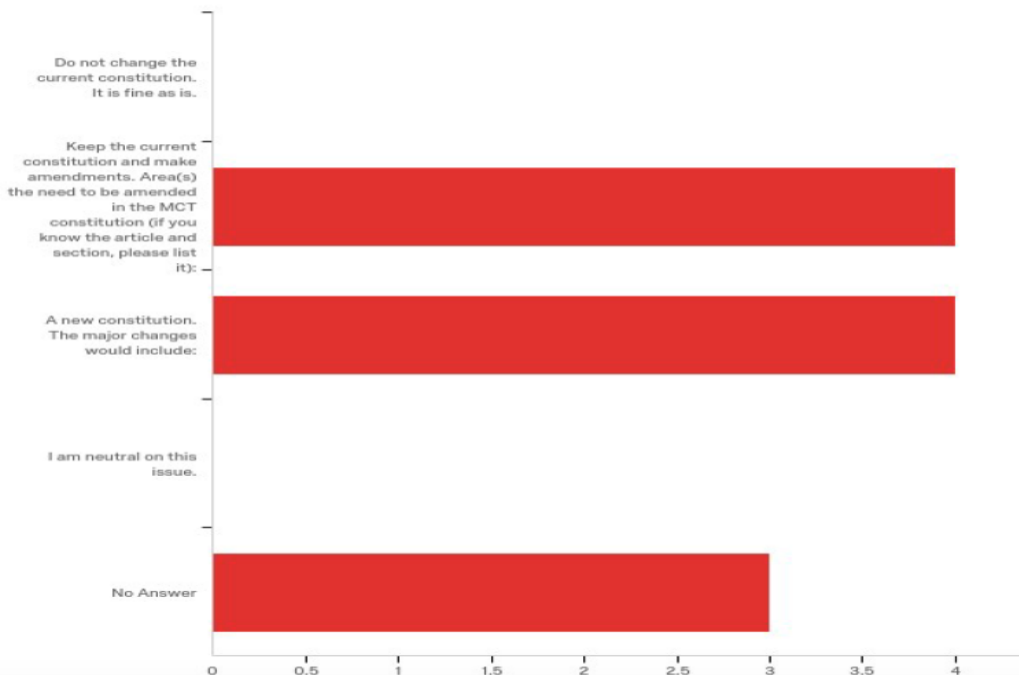
15 - The Minnesota Chippewa Tribe's Constitution serves the needs of the MCT people.



The final set of questions seek community input on how to improve the MCT government. Respondents were asked to consider how much change they would like to see in the future (Q16). Four (4) respondents answered the question suggesting that the tribe should “keep its current constitution and make amendments” to address some of the concerns (a. below), while, another four (4) responded that

there should be an entirely “new constitution” written (b. below). Zero (0) respondents elected to keep the constitution the way it is currently written.

16 - In looking to the future of the Minnesota Chippewa Tribal government, how much change do you think should happen?



If the respondents chose to amend the constitution or write a new one, they were prompted to write what they think needed to be amended in the existing constitution or any major changes that needed to be included in a new constitution. Comments regarding each of these are listed below.

a. Amend Existing Constitution

Out of the respondents who suggested amending the existing constitution:

- Two (2) out of the two (2) responses included enrollment as an amendment within the existing constitution. Responses include:
 - “Enrollment, Powers, Accountability remain at tribal. Leave out US Government. Change language like MCT Chippewa.”
 - “Enrollment”

b. Write a New Constitution

Out of the respondents who suggested to write a new constitution:

- Four (4) of the eleven (11) respondents suggested specifics to writing a new constitution. Responses include:
 - “Participation by tribal membership in developing a governing document.”
 - “Lower blood quantum.”
 - “MCT needs to be eliminated it has out lived its need. Reservations are capable of their own leading, they need constitutional separation of powers. NO MCT separations of powers.”
 - “A constitution that is written by the people, producing fairness for all band members.”

c. Other Suggestions

Six (6) respondents offered more suggestions to strengthen the MCT constitution. Responses included:

- “Accountability of tribal leadership.”

- “Not knowledgeable about the constitution.”
- “Involve, motivate the members, use the mass activities to get info out to members, use mail, media.”
- “Separate Powers ex: Same people on TEC board and RBC board.”
- “MCT needs to be more inclusive of other tribal govt. in Wisconsin, Michigan, N. Dakota, etc. We need nation building not diversion by another useless MCT const. exercise.”
- “Once developed (new constitution) all amendments need to be voted on by the band population residing on the reservation.”

General Information

The demographics of the audience may help understand who attends the MCT Constitutional Convention sessions and how they may assist in future endeavors. In addition, it allows the elected leaders to discuss a strategy to engage members who are not attending the sessions. There was a fairly equal distribution of male and female respondents (45.45% to 45.45%). The respondents' ages ranged from 15-69; 54.55% are employed; and 56.25% are enrolled MCT citizens.

Additional comments include:

- “Loved what I learned today but until talk is put into action these are the same words I've heard for the past 20 years. We need to have different members than the RBC on the TEC for the MCT - It's not fair, we (the people) have nowhere to go!”
- “Should be allowed to look on previous Rolls for blood quantum, married to a White Earth member. I am Fond du Lac, our kids are denied enrollment, we are both tribal members of Minnesota tribe's. Why can't I enroll my kids in our tribe??? This is my kids blood right and ancestors right, why are we being chopped up by percentages of blood, are we the only ethnic group this is being done to, we are Anishinaabe have been brought up this way. Why are my kids being denied their rights?”
- “Be more aggressive to inform/educate band members. Consider all Indians with Indian Blood. Those or less inherent benefits when their elder dies. That why it would increase our roles but our dollars. It would remain at the same level until the descendant inherited their elders blood. We built a wonderful clinic and make money by volume is the other side of the economy.”
- “Marshall Trilogy states that American Indian Tribes are "independent nations" not business communities. You cannot have government to government relationship if Bands are not considered governments. Cherokee Nation v. Georgia said we are "domestic dependent nations", there was a specific relationship between American Indian nations and the U.S. Each Indian nation had "inherent sovereignty". In order for Bands to fully utilize their "inherent sovereignty" they need to be governments not Business committees.”

The complete survey is located in **Appendix B**.

Appendix A

MINNESOTA CHIPPEWA TRIBE

CONSTITUTION MEETINGS

November 2017 – January 2018

Sponsored by the Minnesota Chippewa Tribe (MCT)
with generous support from the Native Governance Center
and the Fond du Lac Band of Chippewa

Presented & Facilitated by the Native Nations Institute, University of Arizona
November 20-21, 2017

Black Bear Casino Resort, Otter Creek Event Center, Carlton, Minnesota

Day 1

Time	Agenda Item
11:30 a.m.	REGISTRATION & LITE LUNCH
12:00 p.m.	OPENING PRAYER WELCOME & PURPOSE <ul style="list-style-type: none">Fond du Lac Band – Chairman Kevin Dupuis
	INTRODUCTIONS: FACILITATORS, PRESENTERS, & SPONSORS
12:30 p.m.	SESSION 1: THE DEVELOPMENT OF THE MCT & CURRENT STRUCTURE — <i>Philip Brodeen</i> <ul style="list-style-type: none">History of the MCT ConstitutionWhat are the powers and duties of the Tribal Executive Committee (TEC)?What are the powers and duties of the Reservation Business Committees (RBC)?How does the MCT work on a day-to-day basis in comparison to each Band?Discussion: <i>Does the current MCT Constitution accurately reflect who we are as a people today?</i>
2:30 p.m.	SESSION 2: THINKING STRATEGICALLY ABOUT MCT'S FUTURE — <i>Native Nations Institute</i> <ul style="list-style-type: none">Complete the following sentence: <i>"I want my (grand)children to live in a tribal community where...."</i>
3:00 p.m.	SESSION 3: GOVERNMENT & CONSTITUTIONS: WHAT THEY ARE, DO, & LOOK LIKE ACROSS INDIAN COUNTRY — <i>Native Nations Institute</i> <ul style="list-style-type: none">The foundations of effective governments: What does a government do?Defining a constitution in the broadest senseThe key issues a constitution needs to addressThe diversity of constitutions and governing systems across Indian CountryDo you have the governance tools you need to achieve your strategic goals?
3:30 p.m.	DISCUSSION (Small Groups) <ul style="list-style-type: none"><i>What suggestions do you have in changing the MCT Constitution?</i>
4:15 p.m.	SMALL GROUP REPORTS
4:30 p.m.	ADJOURN



Day 2

Time	Agenda Item
8:00 a.m.	BREAKFAST
8:30 a.m.	WELCOME, REVIEW OF DAY 1 DISCUSSION and REVIEW OF DAY 2 AGENDA
8:45 a.m.	SESSION 4: WHY ARE SOME NATIVE NATIONS MORE SUCCESSFUL THAN OTHERS? — <i>Native Nations Institute</i> <ul style="list-style-type: none">• The <i>Standard Approach</i> to Native community and economic development• The <i>Nation-Building Approach</i> to Native community and economic development• The results of each• Discussion: How does this apply to the MCT?
9:15 a.m.	SESSION 5, ROUND 1: HOW DO WE STRENGTHEN THE MCT & BAND GOVERNMENTS? <ul style="list-style-type: none">• Groupwork: <i>What's WORKING</i> with the existing constitution of the:<ul style="list-style-type: none">○ MCT overall?○ Tribal Executive Committee (TEC)?○ Reservation Business Committees (RBCs)?
10:00 a.m.	BREAK
10:15 a.m.	SESSION 5, ROUND 2: HOW DO WE STRENGTHEN THE MCT & BAND GOVERNMENTS? <ul style="list-style-type: none">• Groupwork: <i>What's NOT WORKING</i> with the existing constitution of the:<ul style="list-style-type: none">○ MCT overall?○ Tribal Executive Committee (TEC)?○ Reservation Business Committees (RBCs)?
11:00 a.m.	SMALL GROUP REPORTS & CATEGORIZATION OF COMMONALITIES
12:00 p.m.	LUNCH
1:00 p.m.	SESSION 5, ROUND 3: HOW DO WE STRENGTHEN THE MCT & BAND GOVERNMENTS? <ul style="list-style-type: none">• Groupwork: <i>Of the issues identified in previous rounds, how might we address some of the key issues?</i>
1:45 p.m.	SMALL GROUP REPORTS
2:15 p.m.	BREAK
2:30 p.m.	SESSION 6: STRENGTHENING OUR GOVERNMENT — HOW HAVE OTHER NATIVE NATIONS ADDRESSED THE PROCESS OF REVISING OR REFORMING THEIR CONSTITUTIONS? <ul style="list-style-type: none">• Questions & Answers
3:00 p.m.	DISCUSSION (Small Groups) <ul style="list-style-type: none">• <i>Based on what we've heard and discussed today, our recommendations for continuing the MCT constitution process are...</i>
3:45 p.m.	SMALL GROUP REPORTS
4:15 p.m.	NEXT STEPS
4:30 p.m.	ADJOURN

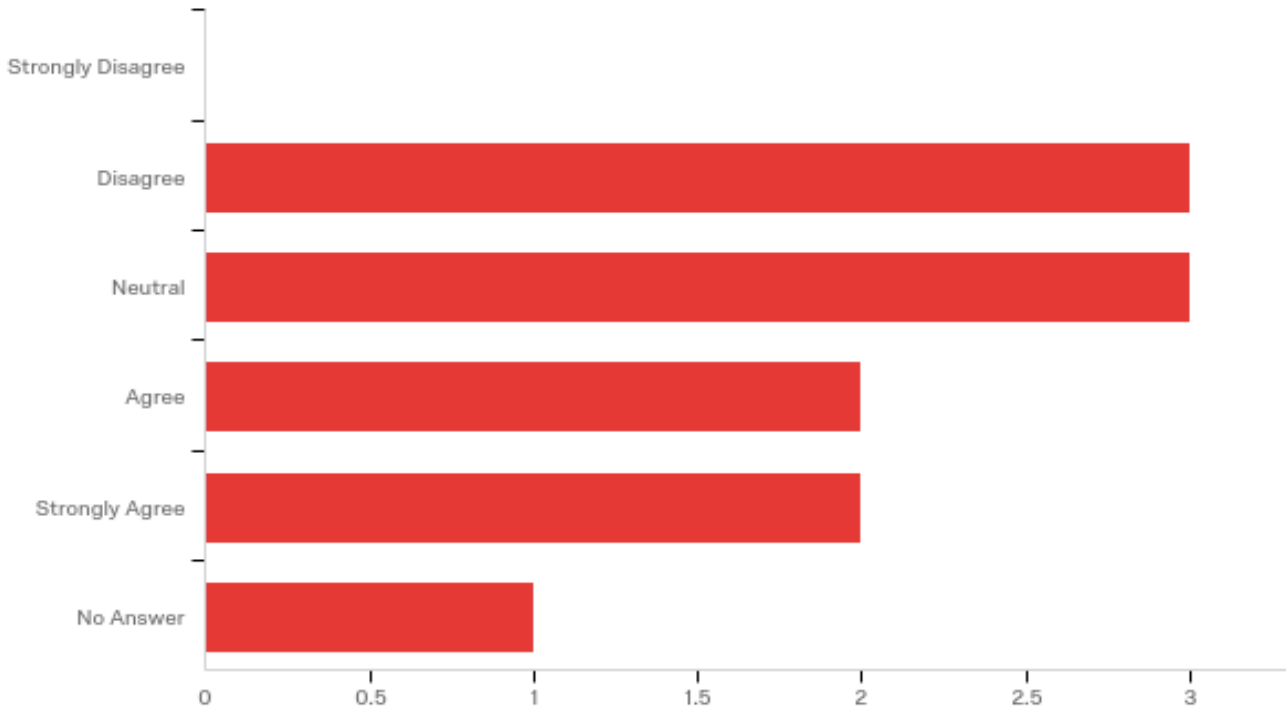
Appendix B

Default Report

MCT Fond du Lac Constitutional Convention Survey

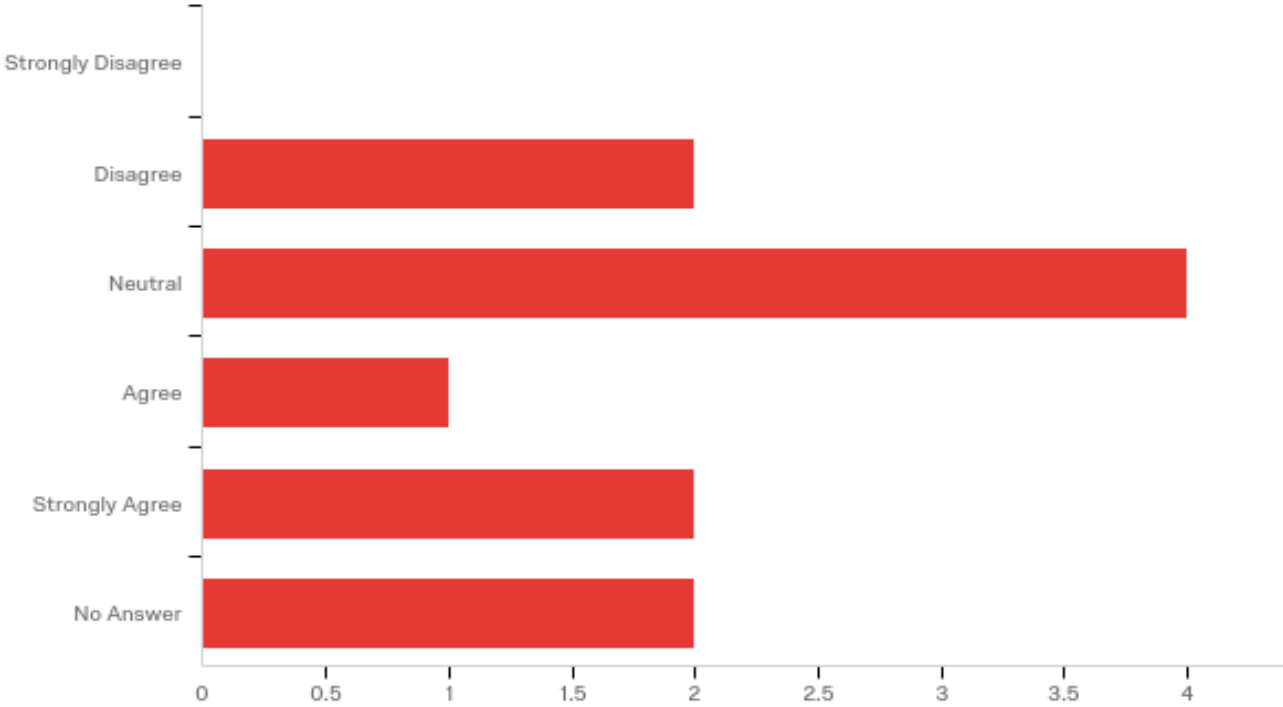
January 16th 2018, 3:55 pm MST

1 - I understand the Minnesota Chippewa Tribe's Constitution and Bylaws.



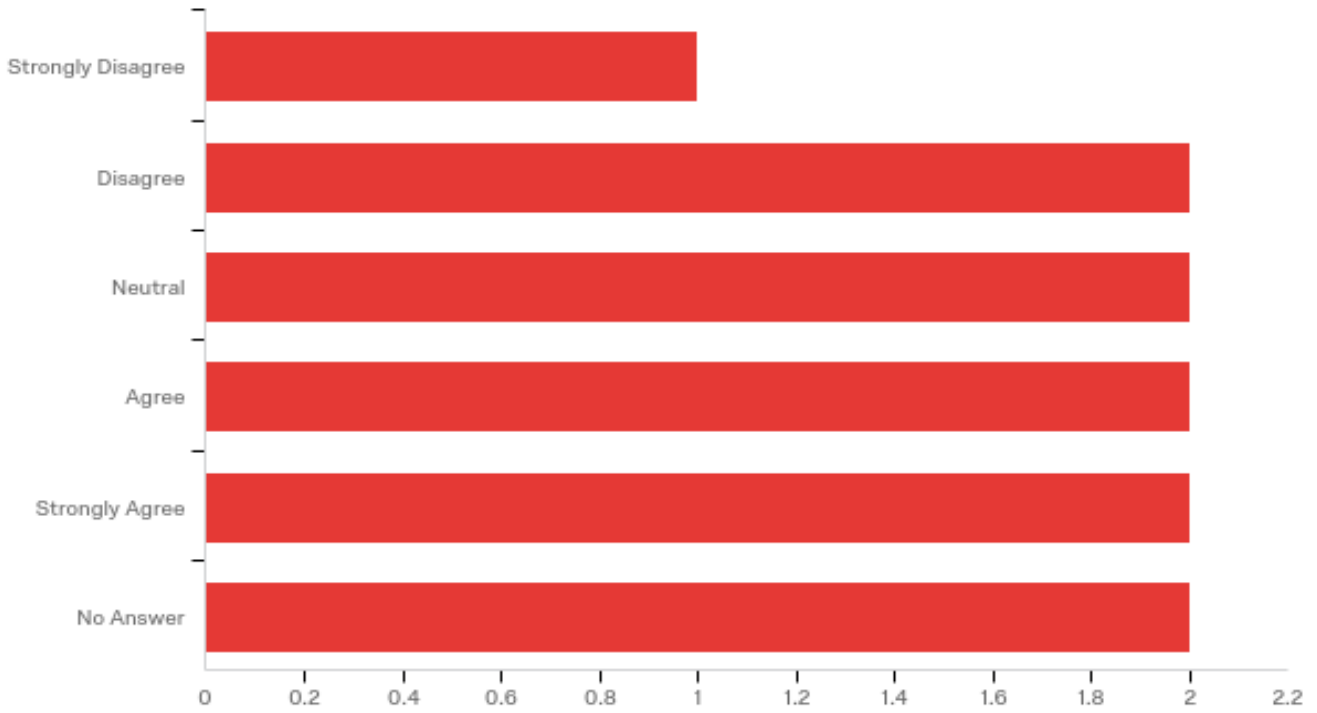
#	Answer	%	Count
1	Strongly Disagree	0.00%	0
2	Disagree	27.27%	3
3	Neutral	27.27%	3
4	Agree	18.18%	2
5	Strongly Agree	18.18%	2
6	No Answer	9.09%	1
	Total	100%	11

2 - I understand the powers of the Tribal Executive Committee (TEC).



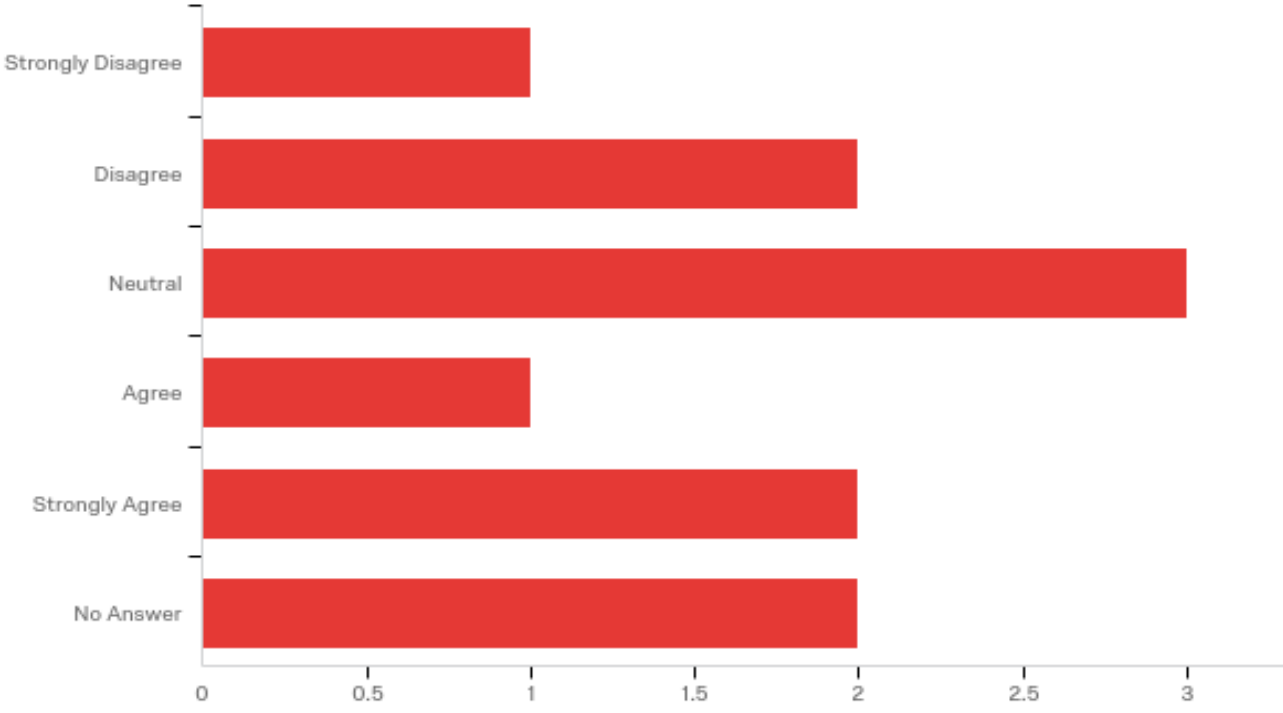
#	Answer	%	Count
1	Strongly Disagree	0.00%	0
2	Disagree	18.18%	2
3	Neutral	36.36%	4
4	Agree	9.09%	1
5	Strongly Agree	18.18%	2
6	No Answer	18.18%	2
	Total	100%	11

3 - I understand the powers of the Reservation Business Committees (RBCs).



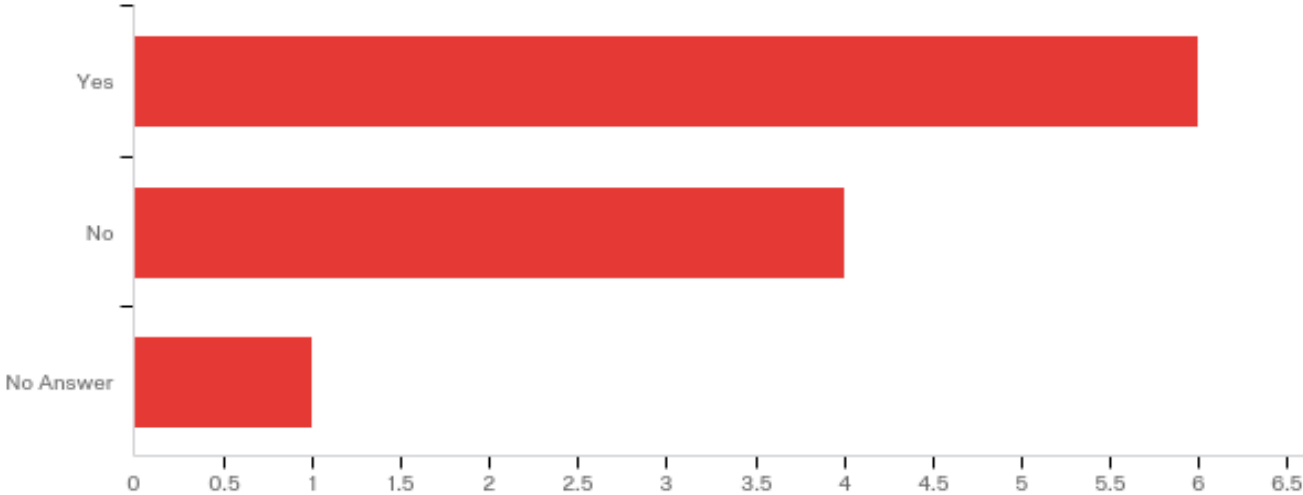
#	Answer	%	Count
1	Strongly Disagree	9.09%	1
2	Disagree	18.18%	2
3	Neutral	18.18%	2
4	Agree	18.18%	2
5	Strongly Agree	18.18%	2
6	No Answer	18.18%	2
	Total	100%	11

4 - I understand how the Minnesota Chippewa Tribal government operates.



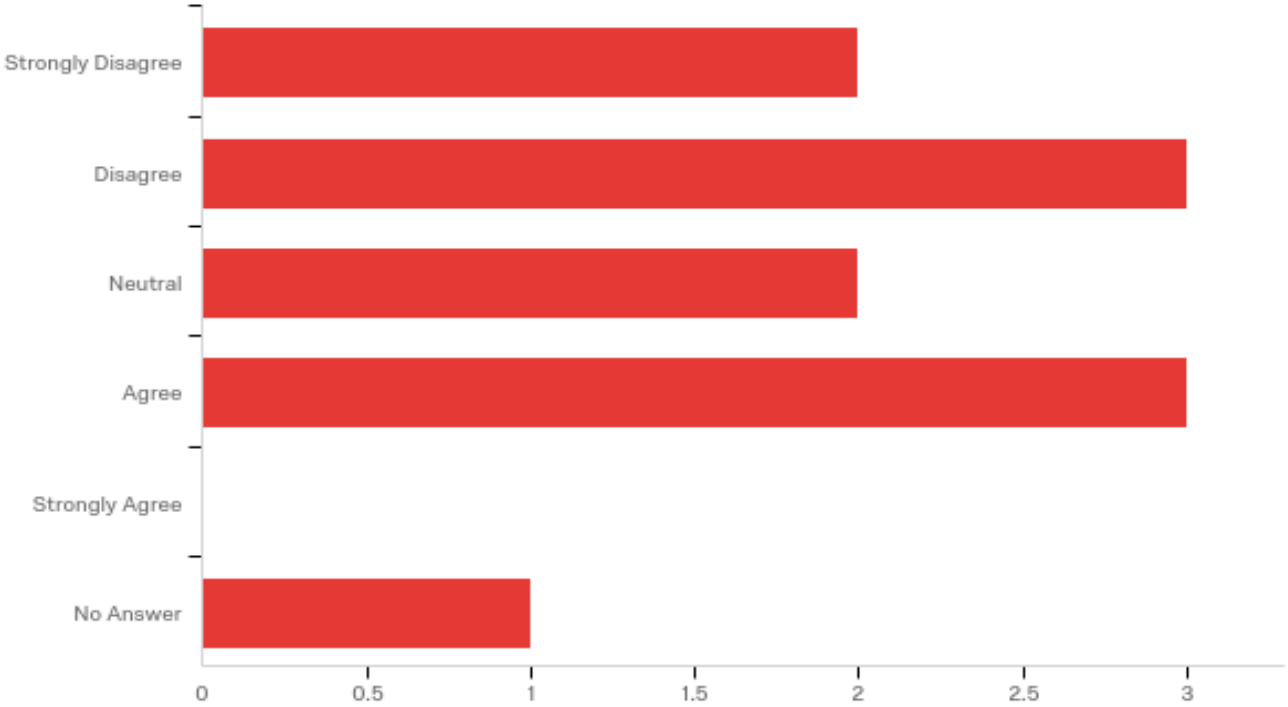
#	Answer	%	Count
1	Strongly Disagree	9.09%	1
2	Disagree	18.18%	2
3	Neutral	27.27%	3
4	Agree	9.09%	1
5	Strongly Agree	18.18%	2
6	No Answer	18.18%	2
	Total	100%	11

5 - I have read the Minnesota Chippewa Tribe's Constitution.



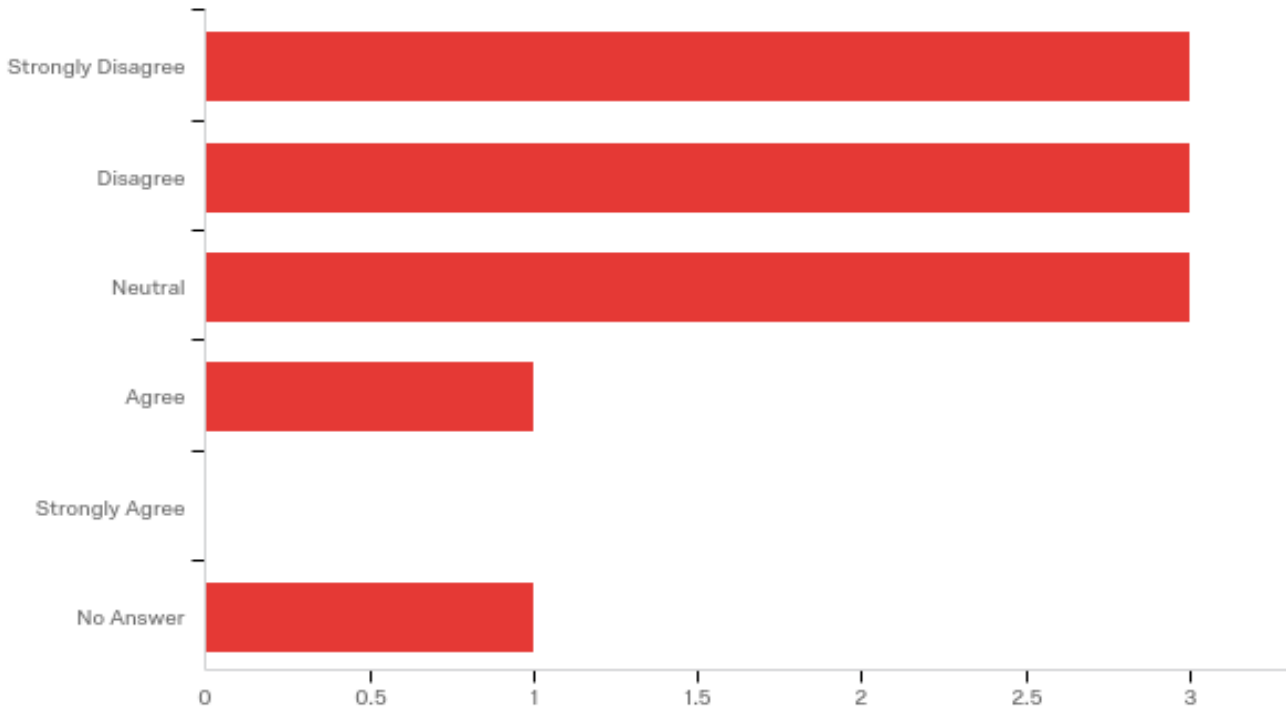
#	Answer	%	Count
1	Yes	54.55%	6
2	No	36.36%	4
3	No Answer	9.09%	1
	Total	100%	11

6 - The Minnesota Chippewa Tribe's election process is fair.



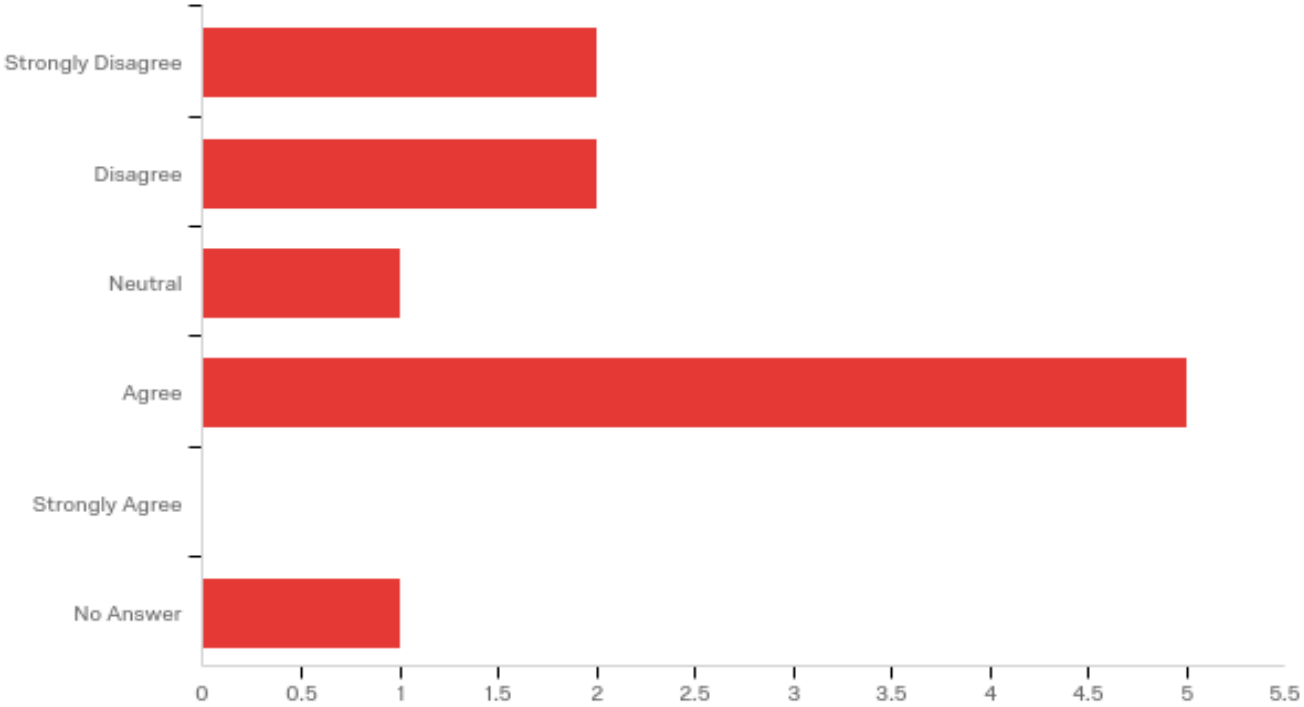
#	Answer	%	Count
1	Strongly Disagree	18.18%	2
2	Disagree	27.27%	3
3	Neutral	18.18%	2
4	Agree	27.27%	3
5	Strongly Agree	0.00%	0
6	No Answer	9.09%	1
	Total	100%	11

7 - The Tribal Executive Committee (TEC) exercises power fairly.



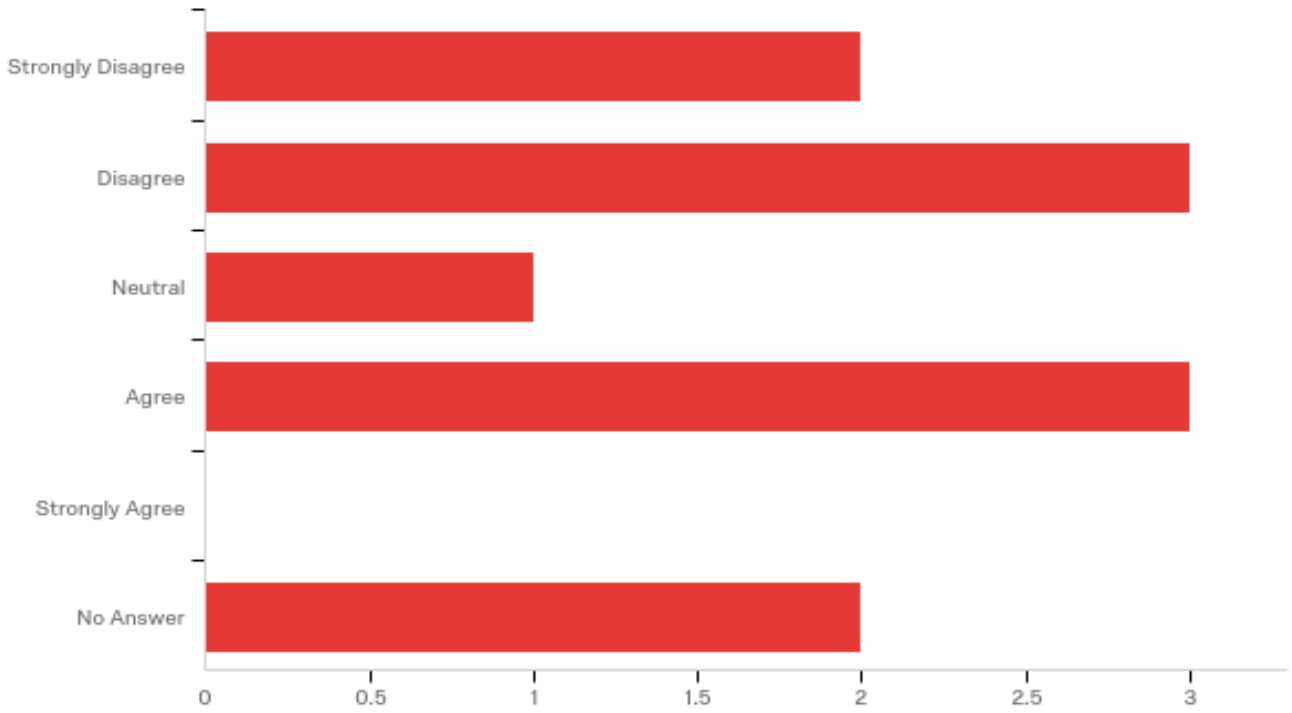
#	Answer	%	Count
1	Strongly Disagree	27.27%	3
2	Disagree	27.27%	3
3	Neutral	27.27%	3
4	Agree	9.09%	1
5	Strongly Agree	0.00%	0
6	No Answer	9.09%	1
	Total	100%	11

8 - The qualifications to run for the Tribal Executive Committee (TEC) are clear to me.



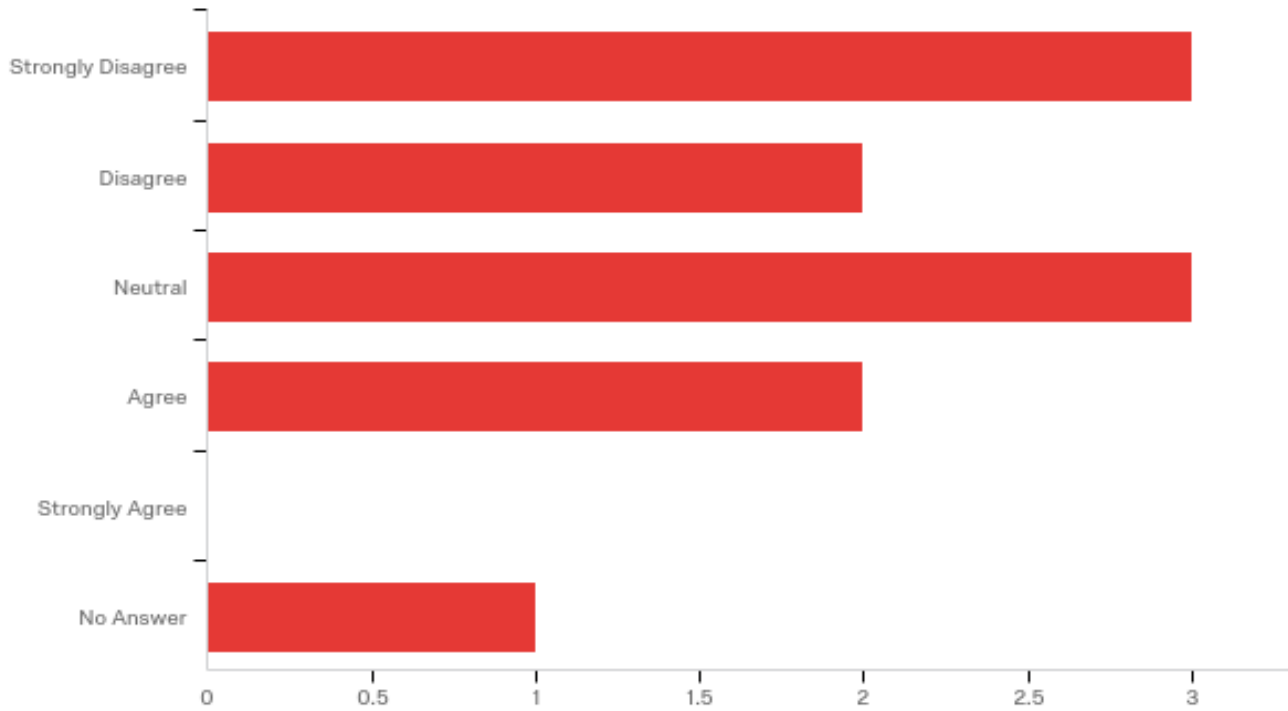
#	Answer	%	Count
1	Strongly Disagree	18.18%	2
2	Disagree	18.18%	2
3	Neutral	9.09%	1
4	Agree	45.45%	5
5	Strongly Agree	0.00%	0
6	No Answer	9.09%	1
	Total	100%	11

9 - The qualifications to run for the Tribal Executive Committee (TEC) are adequate.



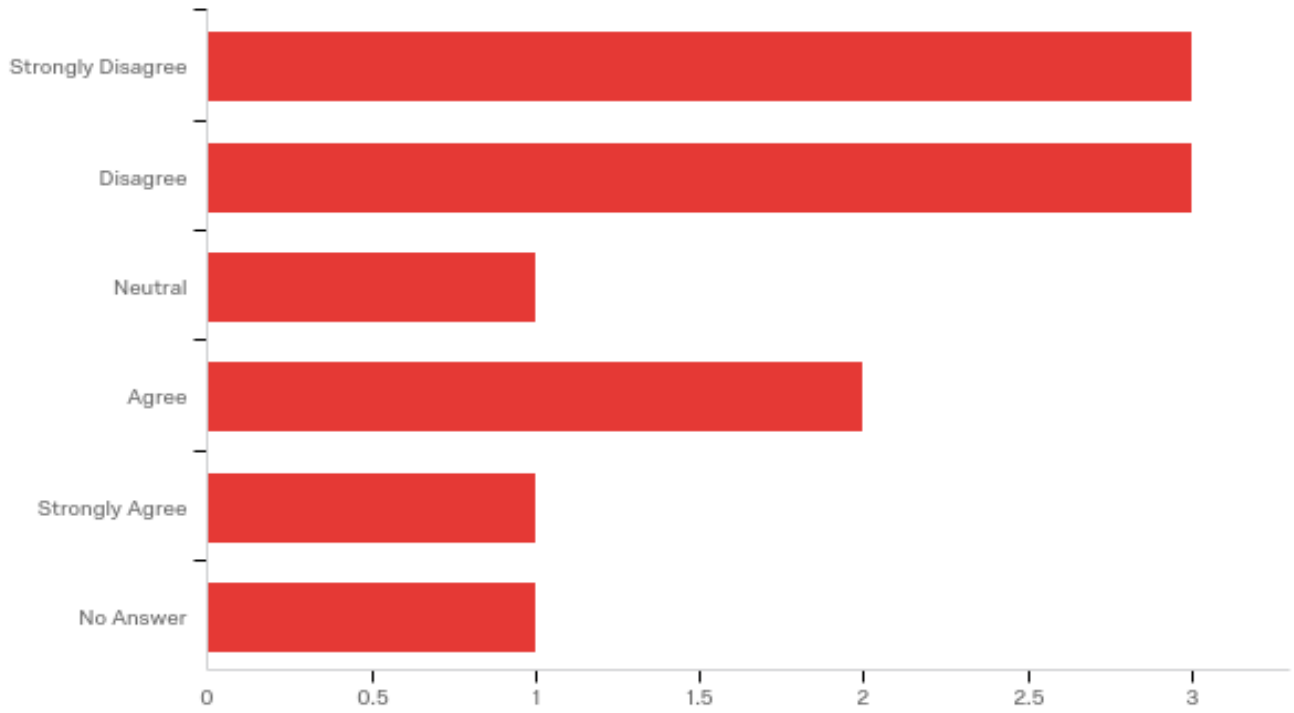
#	Answer	%	Count
1	Strongly Disagree	18.18%	2
2	Disagree	27.27%	3
3	Neutral	9.09%	1
4	Agree	27.27%	3
5	Strongly Agree	0.00%	0
6	No Answer	18.18%	2
	Total	100%	11

10 - The Reservation Business Committee (RBC) exercises power fairly.



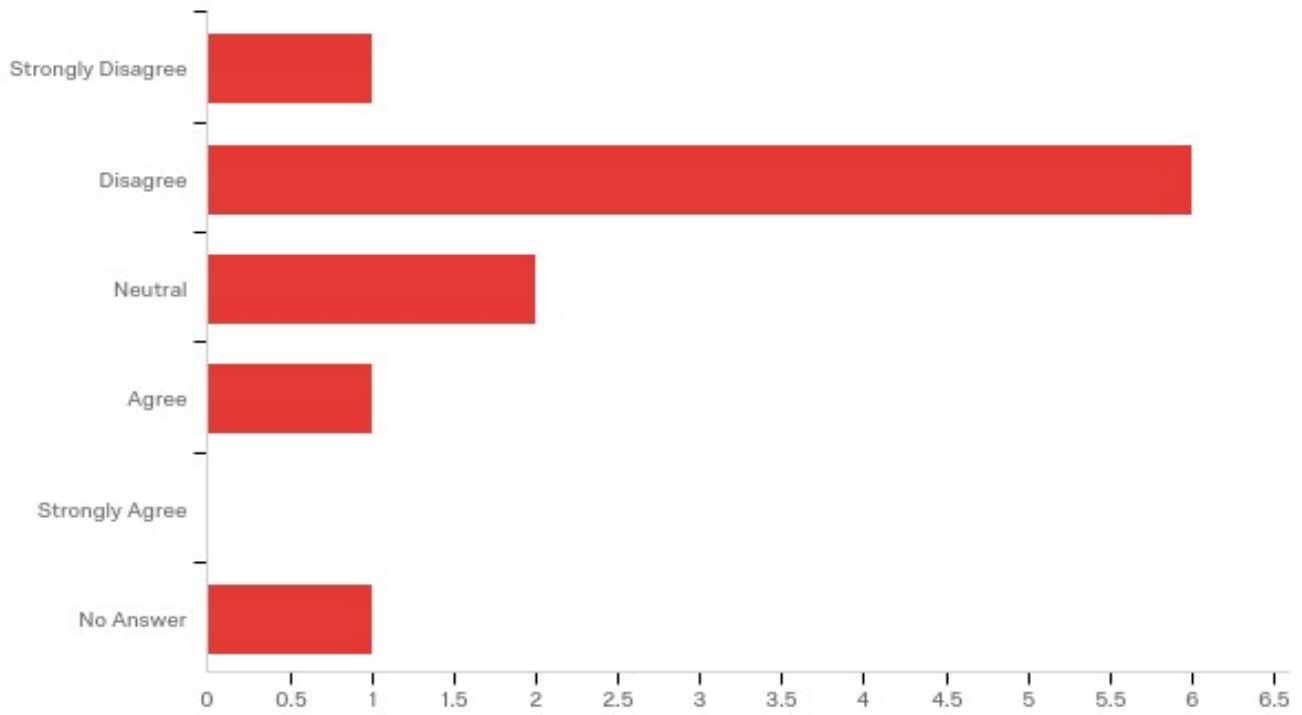
#	Answer	%	Count
1	Strongly Disagree	27.27%	3
2	Disagree	18.18%	2
3	Neutral	27.27%	3
4	Agree	18.18%	2
5	Strongly Agree	0.00%	0
6	No Answer	9.09%	1
	Total	100%	11

11 - Current enrollment requirements reflect how we view ourselves as Anishinaabe.



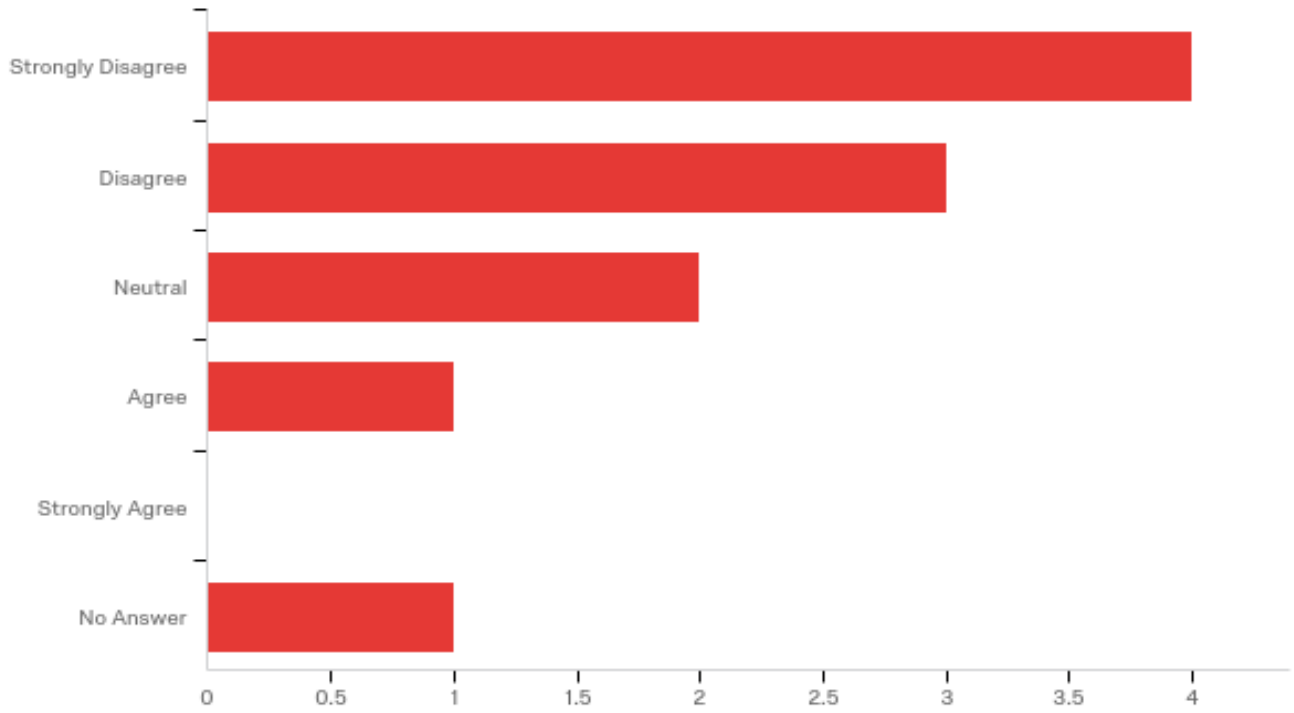
#	Answer	%	Count
1	Strongly Disagree	27.27%	3
2	Disagree	27.27%	3
3	Neutral	9.09%	1
4	Agree	18.18%	2
5	Strongly Agree	9.09%	1
6	No Answer	9.09%	1
	Total	100%	11

12 - The needs of each band are equally considered.



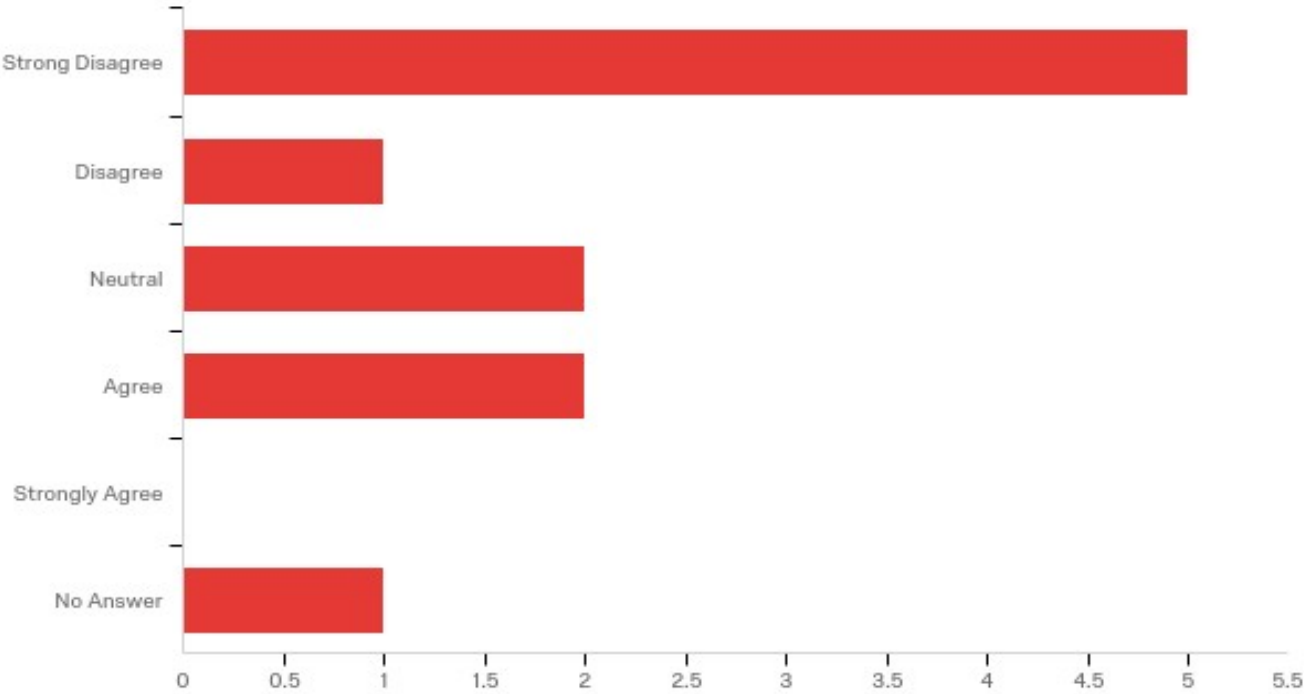
#	Answer	%	Count
1	Strongly Disagree	9.09%	1
2	Disagree	54.55%	6
3	Neutral	18.18%	2
4	Agree	9.09%	1
5	Strongly Agree	0.00%	0
6	No Answer	9.09%	1
	Total	100%	11

13 - Major Tribal Executive Committee (TEC) decisions include band input.



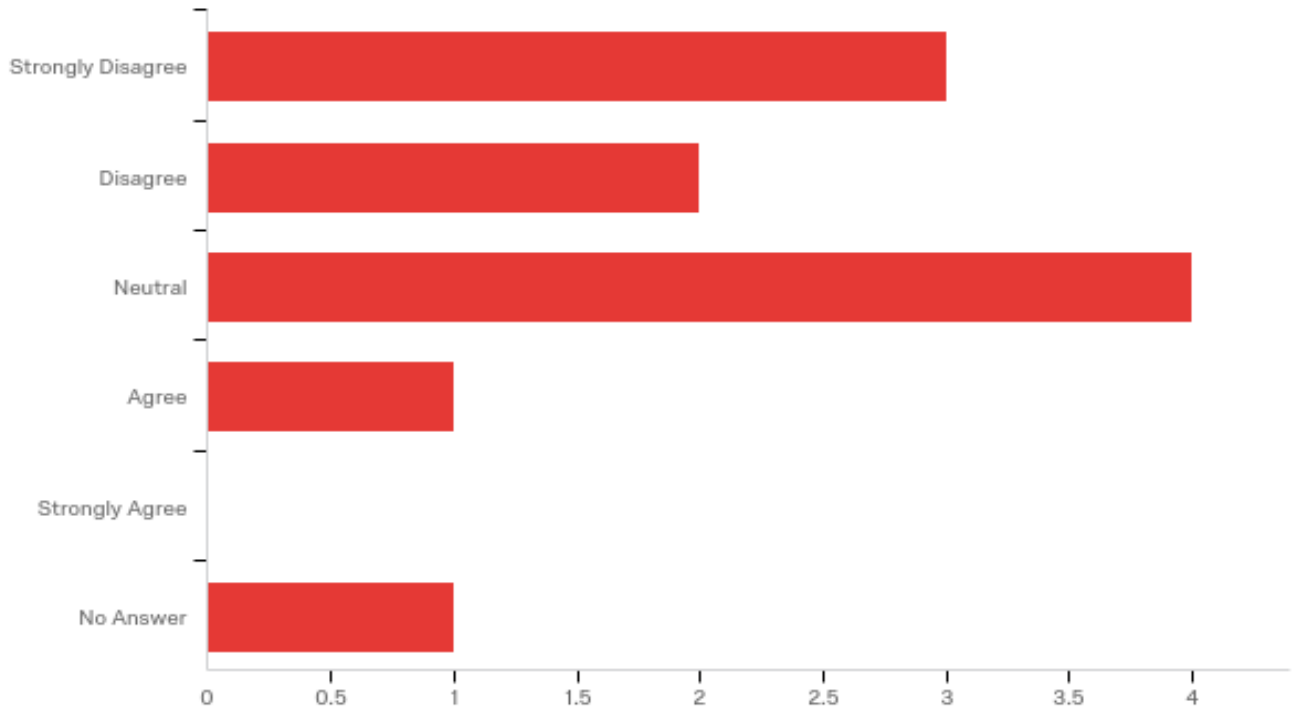
#	Answer	%	Count
1	Strongly Disagree	36.36%	4
2	Disagree	27.27%	3
3	Neutral	18.18%	2
4	Agree	9.09%	1
5	Strongly Agree	0.00%	0
6	No Answer	9.09%	1
	Total	100%	11

14 - There is ample opportunity to address concerns with the Minnesota Chippewa Tribal government.



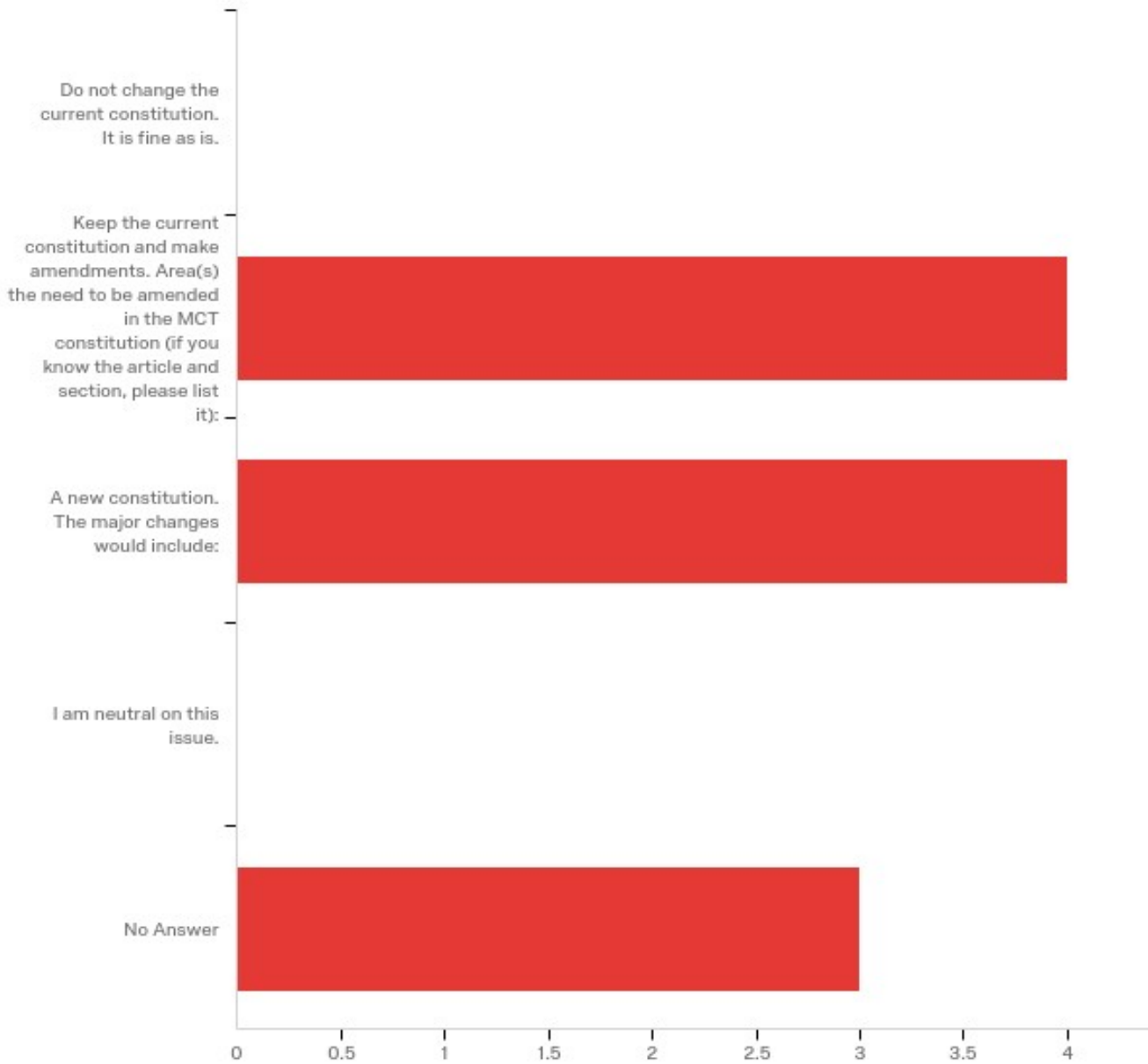
#	Answer	%	Count
1	Strong Disagree	45.45%	5
2	Disagree	9.09%	1
3	Neutral	18.18%	2
4	Agree	18.18%	2
5	Strongly Agree	0.00%	0
6	No Answer	9.09%	1
	Total	100%	11

15 - The Minnesota Chippewa Tribe's Constitution serves the needs of the MCT people.



#	Answer	%	Count
1	Strongly Disagree	27.27%	3
2	Disagree	18.18%	2
3	Neutral	36.36%	4
4	Agree	9.09%	1
5	Strongly Agree	0.00%	0
6	No Answer	9.09%	1
	Total	100%	11

16 - In looking to the future of the Minnesota Chippewa Tribal government, how much change do you think should happen?



#	Answer	%	Count
1	Do not change the current constitution. It is fine as is.	0.00%	0
2	Keep the current constitution and make amendments. Area(s) the need to be amended in the MCT constitution (if you know the article and section, please list it):	36.36%	4

3	A new constitution. The major changes would include:	36.36%	4
4	I am neutral on this issue.	0.00%	0
5	No Answer	27.27%	3
	Total	100%	11

Keep the current constitution and make amendments. Area(s) the need to be a...

Keep the current constitution and make amendments. Area(s) the need to be amended in the MCT constitution (if you know the article and section, please list it): - Text

Enrollment, Powers, Accountability remain at tribal. Leave out US Gov. Change Language like MCT Chippewa

Enrollment

16_3_TEXT - A new constitution. The major changes would include:

A new constitution. The major changes would include: - Text

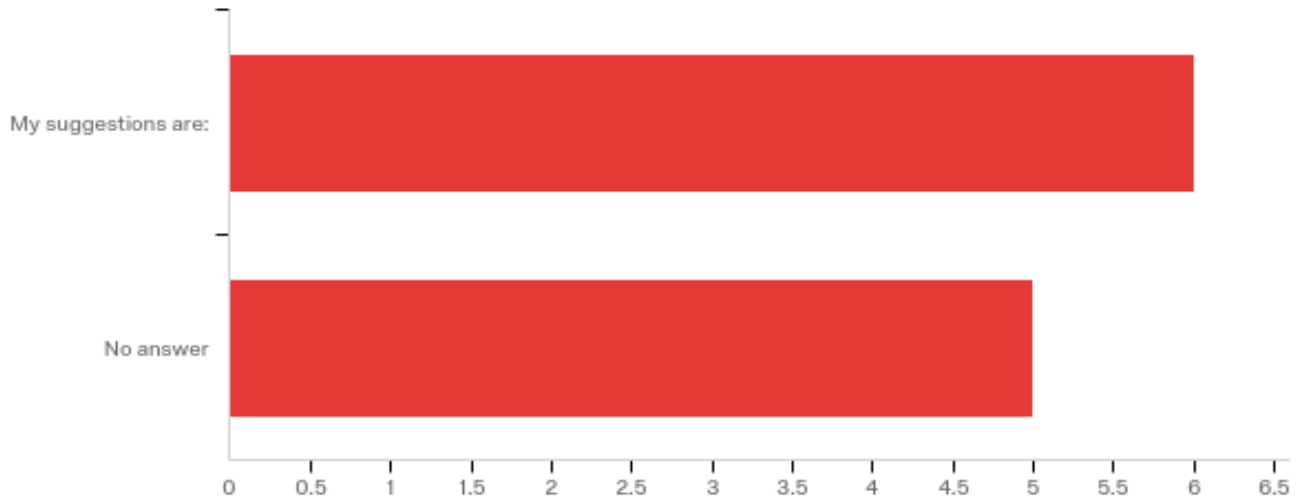
Participation by tribal membership in developing a governing document.

Lower blood quant.

MCT needs to be eliminated it has out lived its need. Reservations are capable of their own leading they need const. separation of powers. NO MCT separations of powers

A constitution that is written by the people, producing fairness for all band members.

17 - What other suggestions do you have for strengthening the MCT constitution? Please be as specific as possible:

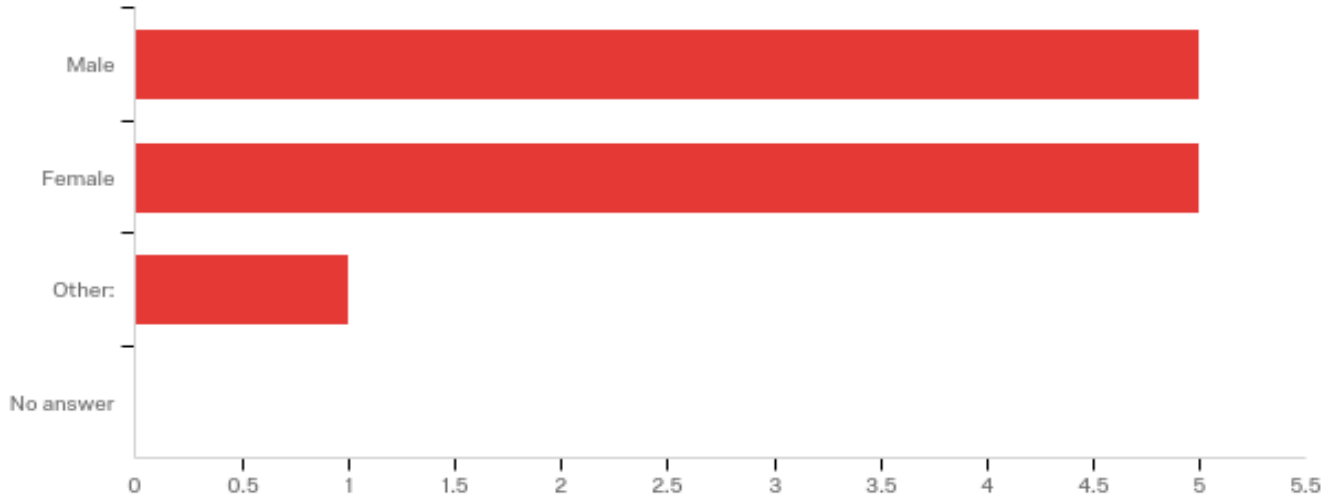


#	Answer	%	Count
1	My suggestions are:	54.55%	6
2	No answer	45.45%	5
	Total	100%	11

17_1_TEXT - My suggestions are:

My suggestions are: - Text
Accountability of tribal leadership
Not knowledgeable about the constitution
Involve motivate the members, use the mass activities to get info out to members use mail, media
Separate Powers ex: Same people on TEC board and RBC board
MCT needs to be more inclusive of other tribal govt. in Wisconsin, Michigan, N. Dakota, etc. We need nation building not diversion by another useless MCT const. exercise
Once developed (new constitution) all amendments need to be voted on by the band population residing on the reservation

18 - What is your gender?

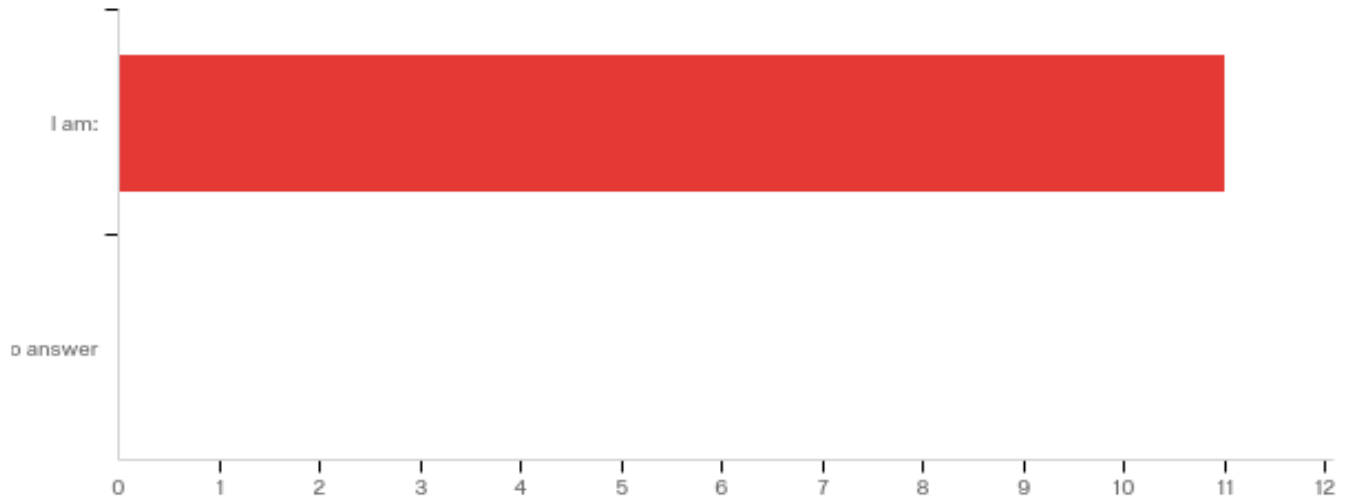


#	Answer	%	Count
1	Male	45.45%	5
2	Female	45.45%	5
3	Other:	9.09%	1
4	No answer	0.00%	0
	Total	100%	11

Other:

Other: - Text
Not relevant

19 - What is your age?

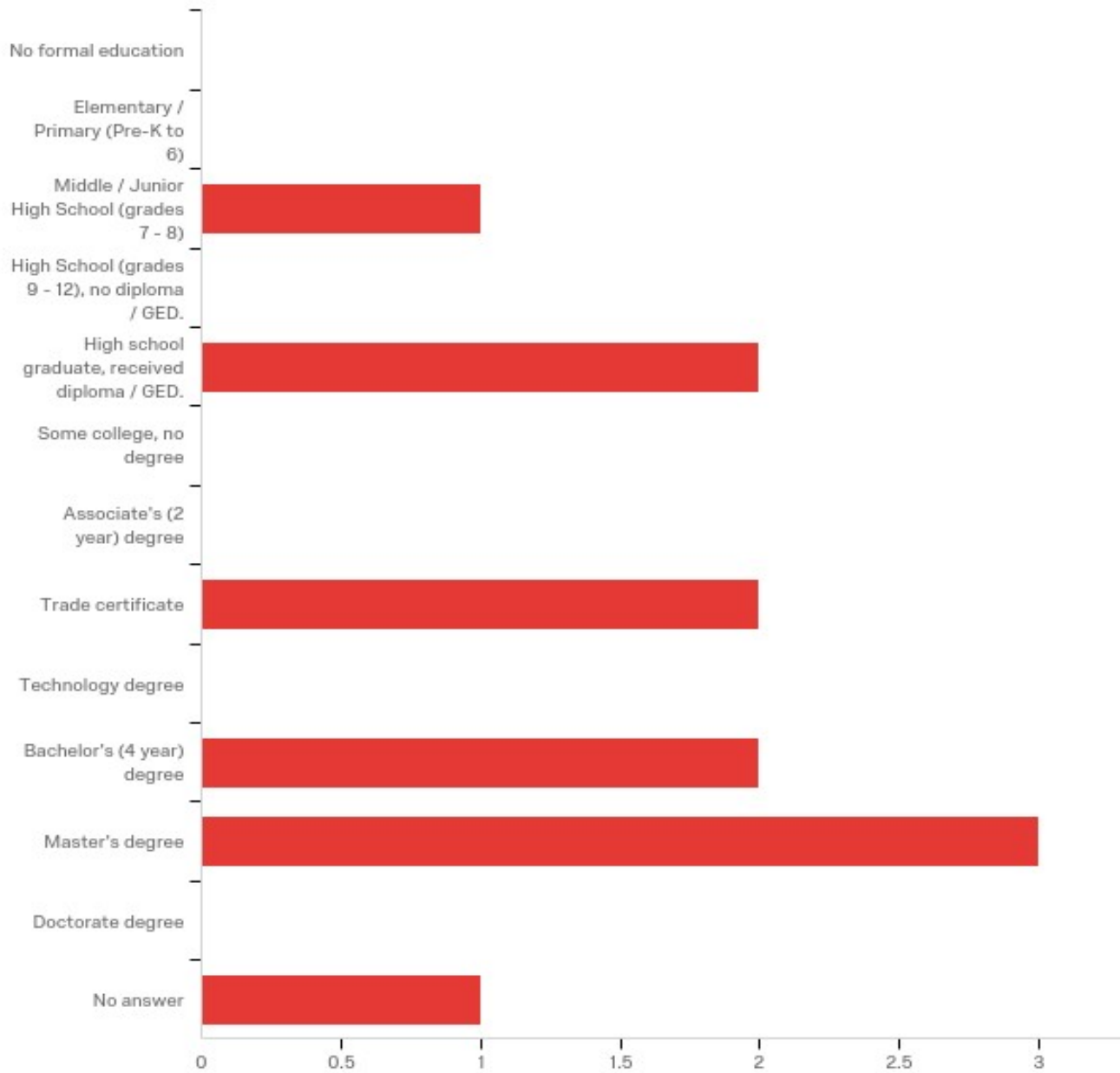


#	Answer	%	Count
1	I am:	100.00%	11
2	No answer	0.00%	0
	Total	100%	11

19_1_TEXT - I am:

I am: - Text
68
42
44
55
15
?
66
60
66
Not Relevant
69

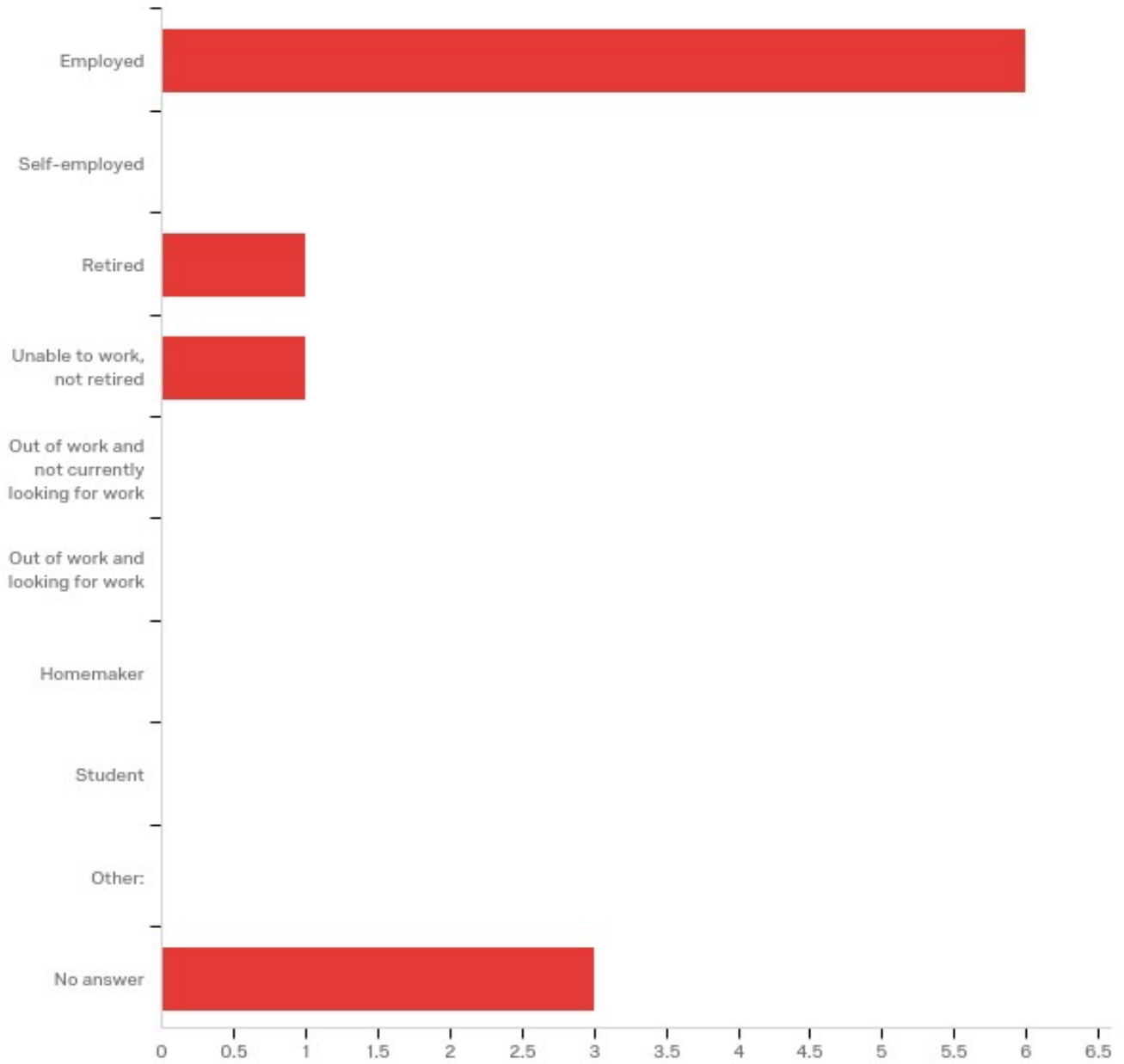
20 - What is the highest level of education you have completed?



#	Answer	%	Count
1	No formal education	0.00%	0
2	Elementary / Primary (Pre-K to 6)	0.00%	0
3	Middle / Junior High School (grades 7 - 8)	9.09%	1
4	High School (grades 9 - 12), no diploma / GED.	0.00%	0
5	High school graduate, received diploma / GED.	18.18%	2

6	Some college, no degree	0.00%	0
7	Associate's (2 year) degree	0.00%	0
8	Trade certificate	18.18%	2
9	Technology degree	0.00%	0
10	Bachelor's (4 year) degree	18.18%	2
11	Master's degree	27.27%	3
12	Doctorate degree	0.00%	0
13	No answer	9.09%	1
	Total	100%	11

21 - What is your current employment status?



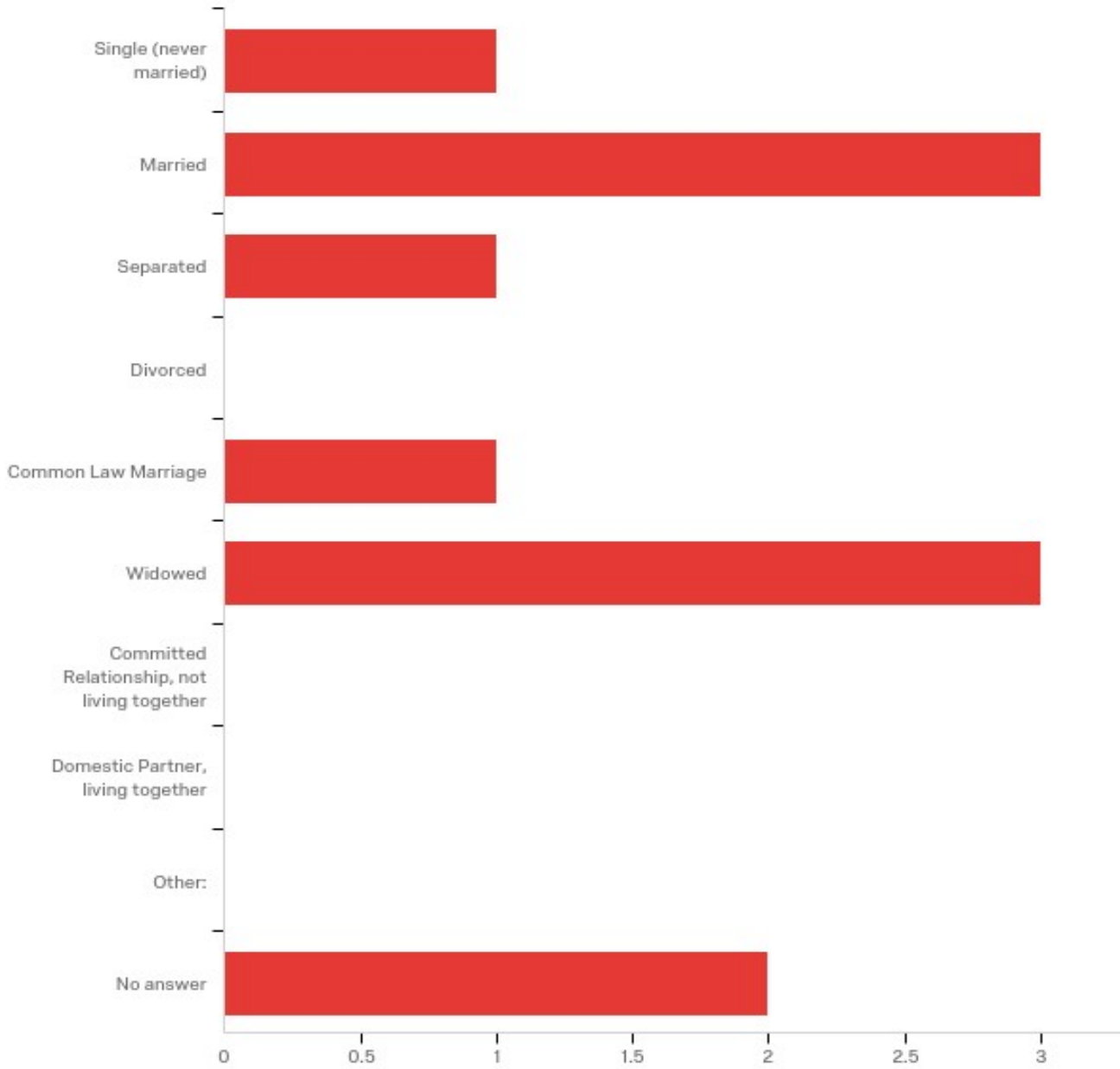
#	Answer	%	Count
1	Employed	54.55%	6
2	Self-employed	0.00%	0
3	Retired	9.09%	1
4	Unable to work, not retired	9.09%	1
5	Out of work and not currently looking for work	0.00%	0

6	Out of work and looking for work	0.00%	0
7	Homemaker	0.00%	0
8	Student	0.00%	0
9	Other:	0.00%	0
10	No answer	27.27%	3
	Total	100%	11

Other:

Other: - Text

22 - What is your current marital status?



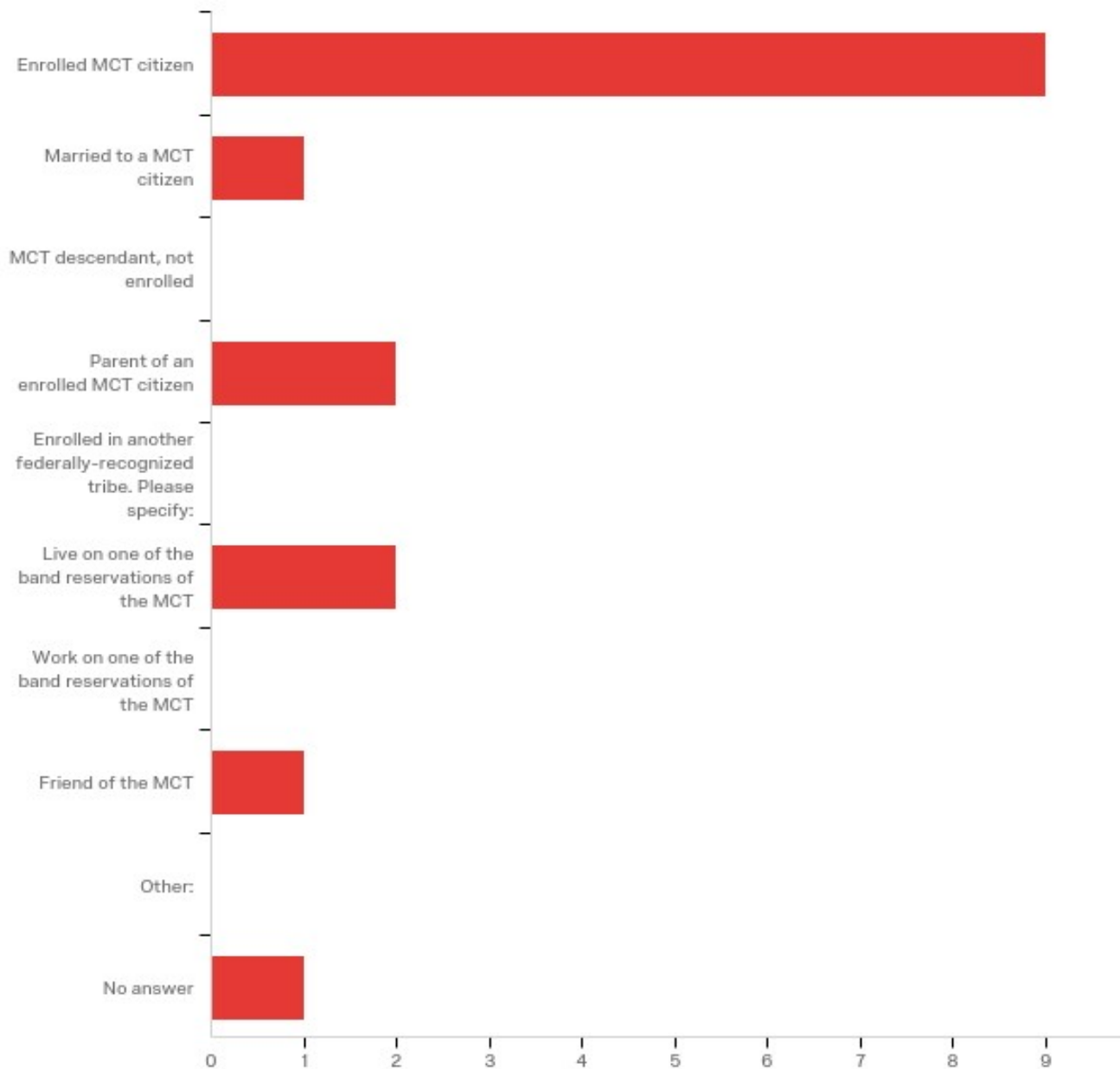
#	Answer	%	Count
1	Single (never married)	9.09%	1
2	Married	27.27%	3
3	Separated	9.09%	1
4	Divorced	0.00%	0
5	Common Law Marriage	9.09%	1
6	Widowed	27.27%	3

7	Committed Relationship, not living together	0.00%	0
8	Domestic Partner, living together	0.00%	0
9	Other:	0.00%	0
10	No answer	18.18%	2
	Total	100%	11

Other:

Other: - Text

23 - What is your MCT affiliation, check all that apply:



#	Answer	%	Count
1	Enrolled MCT citizen	56.25%	9
2	Married to a MCT citizen	6.25%	1
3	MCT descendant, not enrolled	0.00%	0
4	Parent of an enrolled MCT citizen	12.50%	2
5	Enrolled in another federally-recognized tribe.	0.00%	0

	Please specify:		
6	Live on one of the band reservations of the MCT	12.50%	2
7	Work on one of the band reservations of the MCT	0.00%	0
8	Friend of the MCT	6.25%	1
9	Other:	0.00%	0
10	No answer	6.25%	1
	Total	100%	16

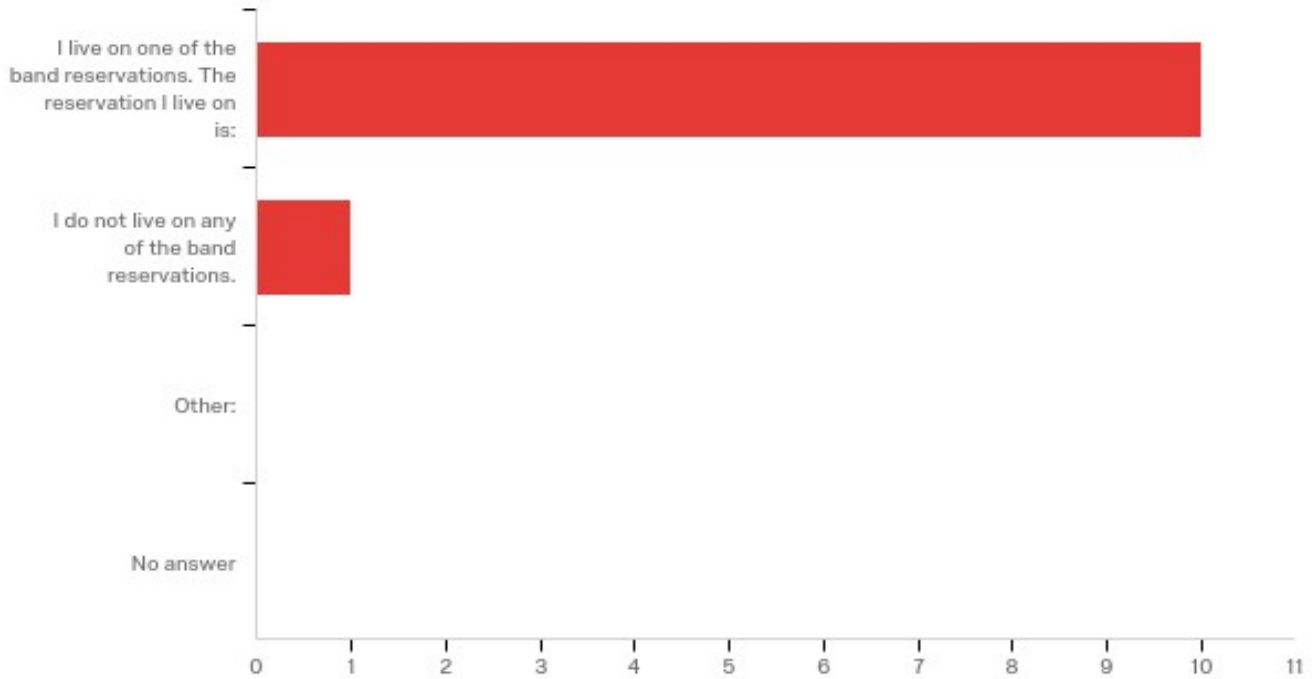
Enrolled in another federally-recognized tribe. Please specify:

Enrolled in another federally-recognized tribe. Please specify: - Text

Other:

Other: - Text

24 - Where do you live?



#	Answer	%	Count
1	I live on one of the band reservations. The reservation I live on is:	90.91%	10
2	I do not live on any of the band reservations.	9.09%	1
3	Other:	0.00%	0
4	No answer	0.00%	0
	Total	100%	11

24_1_TEXT - I live on one of the band reservations. The reservation I live on is:

I live on one of the band reservations. The reservation I live on is: - Text
Fond Du Lac
Fond Du Lac
Fond Du Lac
FDL
FDL - Sawyer

Pow camp
FDL
Bapaskominitigong/Fond Du Lac
Nahgah chiwahnooq (FDL)

Other:

Other: - Text

25 - Comments and/or suggestions:

Comments and/or suggestions:

Loved what I learned today but until talk is put into action these are the same words I've heard for the past 20 years. We need to have different members than the RBC on the TEC for the MCT - It's not fair, we (the people) have nowhere to go!

Should be allowed to look on previous Rolls for blood quantum, married to a white earth member I am Fon Du Lac our kids are denied enrollment we are both tribal members of Minnesota tribe's. why can't I enroll my kids in our tribe???

This is my kids blood right and ancestors right why are we being chopped up by percentages of blood are we the only ethnic group this is being done to we are Anishinabe have been brought up this way why are my kids being denied there rights

Be more aggressive to inform/educate band members. Consider all Indians with Indian Blood. Those or less inherent benefits when their elder dies. That why it would increase our roles but our dollars. It would remain at the same level until the descendant inherited their elders blood. We built a wonderful clinic and make money by volume is the other side of the economy.

Marshall Trilogy- states that American Indian Tribes are "independent nations" not business communities. Cannot have gov to gov relationship if Bands are not considered Governments Cherokee Nation v. Georgia "domestic dependent nations" there was a specific relationship between American Indian Nations and the U.S. each Indian Nation "inherent sovereignty" in order of Bands to fully utilize their "inherent sovereignty' they need to be governments not Business committees.