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March 22, 1996

Norman Deschampe  
President  
The Minnesota Chippewa Tribe  
P.O. Box 217  
Cass Lake, Minnesota 56633-0217

Re: Minnesota Chippewa Tribe Corporate Charter

Dear President Deschampe:

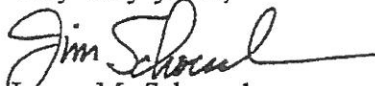
As you recall, we have been trying to revoke the "Corporate Charter" of the Minnesota Chippewa Tribe, issued originally in 1937 pursuant to section 17 of the Indian Reorganization Act. The TEC passed a resolution asking Congress to accept its "surrender" of the Charter. Our goal was to include a congressional acceptance of the surrender in the Indian "Technical Corrections" bill moving slowly through Congress this session.

The Technical Corrections bill (HR 2726; PL 104-109) was passed by Congress in February. Included as section 13 of the bill is the following language:

The request of the Minnesota Chippewa Tribe to surrender the charter of incorporation issued to that tribe on September 17, 1937, pursuant to section 17 of the Act of June 18, 1934, commonly known as the "Indian Reorganization Act" (48 Stat. 988, chapter 576; 25 U.S.C. 477) is hereby accepted and that charter of incorporation is hereby revoked.

You may now put a large "REVOKED" sign across your copy of the MCT Corporate Charter.

Very truly yours,

  
James M. Schoessler

cc: TEC Members  
Gary Frazer

**THE CORPORATE CHARTER  
OF THE  
MINNESOTA CHIPPEWA TRIBE  
WAS RECINDED BY THE  
TRIBAL EXECUTIVE COMMITTEE  
ON MAY 19, 1995**

THE MINNESOTA CHIPPEWA TRIBE

PART VII: CORPORATE CHARTER OF THE MINNESOTA CHIPPEWA TRIBE  
OF THE  
CONSOLIDATED CHIPPEWA AGENCY

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

CORPORATE CHARTER  
OF THE  
MINNESOTA CHIPPEWA TRIBE OF THE  
CONSOLIDATED CHIPPEWA AGENCY

RATIFIED NOVEMBER 13, 1937

CORPORATE CHARTER OF THE MINNESOTA CHIPPEWA  
TRIBE OF THE CONSOLIDATED CHIPPEWA AGENCY

A FEDERAL CORPORATION CHARTERED UNDER THE ACT OF  
JUNE 18, 1934

Whereas, the Minnesota Chippewa Tribe is a recognized Indian tribe organized under a constitution and by-laws ratified by the Tribe on June 20, 1936, and approved by the Secretary of the Interior on July 24, 1936, pursuant to section 16 of the Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378); and

Whereas, more than one-third of the adult members of the Tribe have petitioned that a charter of incorporation be granted to such tribe, subject to ratification by a vote of the adult Indians living on the reservations of the Minnesota Chippewa Tribe, namely: the White Earth, Leech Lake, Fond du Lac, Bois Forte, Grand Portage and Mille Lac Reservations.

Now, therefore, I, Oscar L. Chapman, Assistant Secretary of the Interior, by virtue of the authority conferred upon me by the said Act of June 18, 1934 (48 Stat. 984), do hereby issue and submit this Charter of incorporation to the Minnesota Chippewa Tribe to be effective from and after such time as it may be ratified by a majority vote at an election in which at least thirty per cent of the adult Indians living on the above-named reservations shall vote.

Corporate  
Existence  
and  
Purposes.

1. In order to further the economic development of the Minnesota Chippewa Tribe by conferring upon the said tribe certain corporate rights, powers, privileges and immunities; to secure for the members of the Tribe an assured economic independence; and to provide for the proper exercise by the Tribe of various functions heretofore performed by the Department of the Interior, the aforesaid tribe is hereby chartered as a body politic and corporate of the United States of America, under the corporate name "The Minnesota Chippewa Tribe."

Perpetual  
Succession.

2. The Minnesota Chippewa Tribe shall, as a Federal Corporation, have perpetual succession.

Membership

3. The Minnesota Chippewa Tribe shall be a membership corporation. Its members shall consist of all persons now or hereafter enrolled as members of the Tribe, as provided by its duly ratified and approved Constitution and By-laws.

Management

4. The Tribal Executive Committee of the Minnesota Chippewa Tribe established in accordance with the said constitution and by-laws of the Tribe, shall exercise all the corporate powers hereinafter enumerated.

Corporate  
Powers

5. The Tribe, subject to any restrictions contained in the Constitution and laws of the United States, or in the Constitution and By-laws of the said Tribe, shall have the following corporate powers, in addition to all powers already conferred or guaranteed by the Tribal Constitution and By-laws:

(a) To adopt, use, and alter at its pleasure a corporate seal.

(b) To purchase, take by gift, bequest, or otherwise, own, hold, manage, operate, and dispose of property of every description, real and personal, subject to the following limitations:

(1) No sale or mortgage may be made by the Tribe of any land, or interests in land, including water power sites, water rights, oil, gas, and other mineral rights, now or hereafter held by the Tribe within the boundaries of any reservation of the Minnesota Chippewa Tribe.

(2) No mortgage may be made by the Tribe of any standing timber on any land now or hereafter held by the Tribe within the boundaries of any reservation of the Minnesota Chippewa Tribe.

(3) No leases, permits (which terms shall not include land assignments to members of the Tribe) or timber sale contracts covering any land or interests in land now or hereafter held by the Tribe within the boundaries of any reservation of the Minnesota Chippewa Tribe shall be made by the Tribe for a longer term than ten years, and all such leases and permits, except to members of the Tribe, and all such contracts must be approved by the Secretary of the Interior or by his duly authorized representative; but oil and gas leases, water power leases, or any leases requiring substantial improvements of the land may be made for longer periods when authorized by law.

(4) No action shall be taken by or in behalf of the Tribe which in any way operates to destroy or injure tribal grazing lands, timber, or other natural resources of any reservation of the Minnesota Chippewa Tribe.

All leases, permits, and timber sale contracts relating to the use of tribal grazing or timber lands shall conform to regulations of the Secretary of the Interior authorized by section 6 of the Act of June 18, 1934, with respect to range carrying capacity, sustained yield forestry management, and other matters therein specified. Conformity to such regulations shall be made a condition of any such lease, permit, or timber sale contract, whether or not such agreement requires the approval of the Secretary of the Interior, and violation of such condition shall render the agreement revocable, in the discretion of the Secretary of the Interior.

(c) To issue interests in corporate property in exchange for restricted Indian lands, the forms for such interests to be approved by the Secretary of the Interior.

(d) To borrow money from the Indian Credit Fund in accordance with the terms of section 10 of the Act of June 18, 1934 (48 Stat. 984), or from any other governmental agency, or from any member or association of members of the Tribe, or from any other source, and to use such funds directly for productive tribal enterprises, or to loan money thus borrowed to individual members or associations of members of the Tribe: Provided, that the amount of indebtedness to which the Tribe may subject itself, other than indebtedness to the Indian Credit Fund, shall

not exceed \$150,000, except with the express approval of the Secretary of the Interior.

- (e) To engage in any business that will further the economic well-being of the members of the Tribe or to undertake any activity of any nature whatever, not inconsistent with law or with any provisions of this Charter.
- (f) To make and perform contracts and agreements of every description, not inconsistent with law or with any provisions of this Charter, with any person, association, or corporation, with any municipality or any county, or with the United States or the State of Minnesota including agreements with the State of Minnesota for the rendition of public services: Provided, that any contract involving payment of money by the corporation in excess of \$5,000 in any one fiscal year shall be subject to the approval of the Secretary of the Interior or his duly authorized representative.
- (h) To deposit corporate funds, from whatever source derived, in any national or state bank to the extent that such funds are insured by the Federal Deposit Insurance Corporation, or secured by a surety bond, or other security, approved by the Secretary of the Interior; or to deposit such funds in the Postal Savings Bank or with a bonded disbursing officer of the United States to the credit of the corporation.
- (i) To sue and to be sued in courts of competent jurisdiction within the United States; but the grant or exercise of such power to sue and to be sued shall not be deemed a consent by the said tribe or by the United States to the levy of any judgement, lien or attachment upon the property of the Tribe other than income or chattels specially pledged or assigned.
- (j) To exercise such further incidental powers, not inconsistent with law, as may be necessary to the conduct or corporate business.

Termination  
of Supervisory  
Powers.

6. Upon the request of the Tribal Executive Committee for the termination of any supervisory power reserved to the Secretary of the Interior under sections 5 (b) 3, 5 (c), 5 (d), 5 (f), 5 (g), 5 (h), and section 8 of this Charter, the Secretary of the Interior, if he shall approve such request, shall thereupon submit the question of such termination to the tribe for referendum. The termination shall be effective upon ratification by a majority vote at an election in which at least thirty per cent of the adult members of the Tribe residing on the reservations of the Minnesota Chippewa Tribe shall vote. If at any time after ten years from the effective date of this Charter, such request shall be made and the Secretary shall disapprove it or fail to approve or disapprove it within ninety days after its receipt, the question of the termination of any such power may then be submitted by the Secretary of the Interior or by the Tribal Executive Committee to popular referendum of the adult members of the Tribe actually living within the reservations of the Minnesota Chippewa Tribe and if the termination is approved by two-thirds of the eligible voters, shall be effective.

Corporate  
Property.

7. No property rights of the Minnesota Chippewa Tribe, as heretofore constituted, shall be in any way impaired by anything contained in this Charter, and the tribal ownership of unallotted lands, whether or not assigned to the use of any particular individuals, is hereby expressly recognized. The individually owned property of members of the Tribe shall not be subject to any corporate debts or liabilities, without such owners' consent. Any existing lawful debts of the Tribe shall continue in force, except as such debts may be satisfied or cancelled pursuant to law.

Corporate  
Profits.

8. The Tribal Executive Committee shall set aside annually twenty-five per cent of the profits of corporate enterprises for the establishment and building up of a reserve fund which shall be used for the undertaking, construction, operation and improvement of corporate enterprises. The Tribal Executive Committee may devote the remainder of such profits, and any other tribal income remaining after the payment of indebtedness and expenses, to such purposes for the benefit of the Tribe as it may think best not inconsistent with this Charter and the tribal constitution and by-laws.

Corporate  
Accounts.

9. The officers of the Tribe shall maintain accurate and complete public accounts of the financial affairs of the Tribe which shall clearly show all credits, debts, pledges, and assignments, and shall furnish an annual balance sheet and report of the financial affairs of the Tribe to the Commissioner of Indian Affairs. The Treasurer of the Tribe shall be the custodian of all moneys which come under the jurisdiction or control of the Tribal Executive Committee. He shall keep accounts of all receipts and disbursements and shall make written reports of same to the Tribal Executive Committee at each regular and special meeting. The books of the Treasurer shall be audited at the direction of the Committee or of the Commissioner of Indian Affairs, and shall be open to inspection by members of the Tribe or duly authorized representatives of the Government at all reasonable times.

Amendments.

10. This Charter shall not be revoked or surrendered except by Act of Congress, but amendments may be proposed by resolutions of the Tribal Executive Committee which, when approved by the Secretary of the Interior, to be effective shall be ratified by a majority vote of the adult members living on the reservations of the Minnesota Chippewa Tribe at a popular referendum in which at least 30 per cent of the eligible voters vote.

Ratification.

11. This Charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the Minnesota Chippewa Tribe living on the following reservations: White Earth, Leech Lake, Fond du Lac, Bois Forte, Grand Portage and Mille Lac, provided at least 30 per cent of the eligible voters shall vote, such ratification to be formally certified by the Superintendent of the Consolidated Chippewa Agency and the Tribal President and Tribal Secretary of the Tribal Executive Committee of the Tribe.

Submitted by the Assistant Secretary of the Interior for ratification by the Minnesota Chippewa Tribe of the above-named reservations in a popular referendum to be held on November 13, 1937.

Oscar L. Chapman  
Assistant Secretary of the Interior  
(Seal)

Washington, D.C., September 17, 1937

#### CERTIFICATION

Pursuant to section 17 of the Act of June 18, 1934 (48 Stat. 984), this Charter, issued on September 17, 1937 by the Assistant Secretary of the Interior to the Minnesota Chippewa Tribe of the Consolidated Chippewa Agency in Minnesota, was duly submitted for ratification to the adult members of the Tribe living on the reservations of the Tribe and was on November 13, 1937 duly adopted by a vote of 1,480 for, and 610 against, in an election in which over 30 per cent of those entitled to vote cast their ballots.

John L. Pemberton, President  
The Minnesota Chippewa Tribe