

# Memo

**To:** Board of Directors  
**From:** Ryan Mills, General Counsel  
**Date:** April 23, 2026  
**Re:** Responses to BIA Informal Review Const. Draft Amend.

For Public Release

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## Introduction

This memo will summarize the local BIA offices informal review of the Tribe's draft Constitutional amendments as well as the Legal Departments initial responses (email from BIA is attached):

### **BIA informal review of the proposed changes (amendments) to the Sault Ste Marie Tribe of Chippewa Constitution and Bylaws:**

**Overall:** It does not appear to have any language that is contrary to federal law, nor does there appear to be contrary Articles or language that mute or hold irrelevant any other Article within the Constitution or Bylaws

**Preamble:** Total rewrite of preamble. *No issues noted.*

**Article 1—Sovereignty:** New Article/Title, total rewrite. *No issues noted.*

**Article 2—Territory & Jurisdiction:** No changes. *No issues noted.*

**Article 3—Citizenship:** New Article/Title. Changes made in Article III, Section 1(a) change from "6" historical bands to "7" historical bands with the addition of the Mackinac (band) as one of those "7" historical bands. Also, a change in Article III, Section 2, change from "Board of Directors" to "Tribal Council". *No issues noted.*

**Article 4—Bill of Rights:** New Article/Title, total rewrite. *No issues noted.*

**Article 5—Separation of Powers:** New Article/Title, total rewrite. *No issues noted.*

**Article 6—Judicial Branch:** New Article/Title, total rewrite. *No issues noted.*

**Article 7—Legislative Branch:** New Article/Title, total rewrite. *Issues/questions to follow:* In Article VII, Section 6(m) of the redlined and highlighted proposal it indicates ". . . Duly enacted authorities pursuant to (h) . . ." however, in the clean version it indicates ". . . Duly enacted authorities pursuant to (i) . . ." Please clarify/correct which subsection Section 6(m) should be directing to.

**Legal Department Response:** Section 6(m) Cites to (h) when the correct citation should be (i). Corrected to (i) [Board Approved this response at the workshop in 4.28.26](#)

**Article 8—Executive Branch:** New Article/Title, total rewrite. *Issues/questions to follow:* Article VIII, Section 4 has two (b)'s in that section. Assume they would be combined to all be Section 4(b) (one complete subsection), if not please correct. Also, Article VIII, Section 5(f), the wording doesn't seem to flow/I have a difficulty understanding intent. IE. "To appoint member to the authorities as enacted. . ." What authorities?

**Legal Department Response:** 1. Article VIII, Section 4 has two (b)'s in that section. Formatting has been fixed. [Board Approved this response at the workshop in 4.28.26](#)

2. Article VIII, Section 6(f) has been corrected by separating out this section and reword as follows:

- a) To appoint members to the governing bodies of the authorities, created by the Tribal Council pursuant to Article VII Section 6(i), subject to confirmation approval by Tribal Council.
- b) Appoint key executive positions of the tribal government subject to confirmation approval by Tribal Council.

[Board Approved this response at the workshop in 4.28.26](#)

**Article 9—Resignation, Recall, Removal, and Vacancies:** New Article/Title, total rewrite. *No issues noted.*

**Article 10—Nominations & Elections:** New Article/Title, total rewrite. *Issues/grammatical errors to follow:* In Article X, Section 1, "The five (5) voting as units of the Tribe. . ." I believe there is a grammatical error, the word "as" should be removed from that sentence.

**Question/Suggestion:** Article X, Section 4, Voting Unit, there is a requirement that those members residing in a unit must vote in that unit, whereas those members not residing within a unit must register to vote within a unit. It appears clear that if you reside in a voting unit that is the unit you vote in, however it would appear that the person not residing within a unit would have the ability to register in a given unit this voting cycle and then register to vote in a different voting unit the next voting cycle, thus allowing for "unit hopping"? Is there any idea

that the language would indicate once you register to vote in a unit (for non-residing members) that would be the unit you vote in every time unless you physically move into a different unit? Likewise, same criteria for those living in a unit, they vote in that unit unless they move to a different unit, or move outside the voting units, thus having to register for the unit of their choice (and all other parameters then would again apply)?

**Legal Department Response:** 1. Grammar correction made, word “as” deleted. [Board Approved this response at the workshop in 4.28.26](#)

2. “Unit hopping” concern is covered in Sault Tribe Code 10.110 Registration of Voters. Our code disallows “unit hopping.” I do not believe this needs to be fully fleshed out in the Constitution, but is better served through legislation. [Board Approved this response at the workshop in 4.28.26](#)

See suggested redlines for potential constitution language:

Voters residing outside of an election unit shall be permanently registered in the unit of their choice, pursuant to this section, unless they establish residence within one of the tribe’s established election units. [Board did not approve this edit at the workshop in 4.28.26](#)

**Article 11—Sovereign Immunity:** New Article/Title, total rewrite. *No issued noted.*

**Article 12—Right of Referendum:** New Article/Title, partial changes to language. *Grammatical error/Suggestion:* Article XII, “Any . . . bearing signatures of at five percent. . .”, suggest remove word “at” or add word “at least” to the sentence to clarify and or make sense of sentence.

**Legal Department Response:** Corrected by adding “at least.” [Board Approved this response at the workshop in 4.28.26](#)

**Article 13—Amendments:** New Article/Title, total rewrite. *No issues noted.*

**Article 14—Adoption:** New Article/Title, partial language changes and additions. *Grammatical/typo error noted:* Article XIV, “. . .entitled to vote shall vote in such election, shall be submitted to the Secretary of the Interior and, if approved, shall become effective become effective upon the date. . .” Remove the 2<sup>nd</sup> “become effective” as is a typo.

**Legal Department Response:** The second “become effective” has been removed. [Board Approved this response at the workshop in 4.28.26](#)

## **BYLAWS:**

**Article 1—Meetings of the Tribal Council.** New Article/Title, partial language changes. *Grammatical/typo error noted:* The title is missing the letter "i" in the word "Council".

**Legal Department Response:** Corrected the letter "i" in Council. [Board Approved this response at the workshop in 4.28.26](#)

**Article 2—Duties of Tribal Council Officers:** New Article/Title, partial language changes. *Question/Clarification noted:* The last sentence of Article II, Section 4, does not seem to flow with rest of Section 4. Please clarify and/or correct any missing punctuation and/or add missing language.

**Legal Department Response:** This is referring to the language "Within five (5) days to submit to Executive Branch. (put in Legislative Powers)." This edit has been added to the Legislative Powers per our note and can be deleted from this section.

**Article 3—Tribal Records:** New Article/Same Title, about 70% changes to Article language. *No issues noted.*

## **Conclusion and Next Steps**

The Board can make any changes (or no changes) based on the above feedback from the BIA. Once we decide whether or not to make changes, legal is to send a clean copy to the BIA so the regional office can do their layer of informal review. Once that informal review is completed the Board can make any changes (or no changes) based on that feedback. Once that is done, the Board can vote to trigger a secretarial election on the changes. As the tribe is engaged in the informal review process and are addressing BIA concerns and comments as we get them, it should limit time the BIA will need to spend on the technical review required under the federal regulations once the election process has started.

## Ryan Mills

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**From:** Vanalstine, Nicholas J [REDACTED]  
**Sent:** Tuesday, April 14, 2026 11:45 AM  
**To:** Ryan Mills  
**Cc:** Virden, Scott  
**Subject:** Re: [EXTERNAL] BIA Election Questions

Good morning Mr. Mills,

As this is an "informal review", I am going to communicate via e-mail rather than a more formal letter with official letterhead. I read the entire document and provided my findings (issues), questions, any grammatical or spelling errors, and lastly, provide some suggestions for consideration. I will say upfront, overall, there doesn't appear to me to be anything illegal or against federal laws (obviously not a legal review as I am not an attorney nor am I authorized to provide such interpretation).

**Below is my informal review of the proposed changes (amendments) to the Sault Ste Marie Tribe of Chippewa Constitution and Bylaws:**

**Preamble:** Total rewrite of preamble. *No issues noted.*

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As I mentioned above, it does not appear to have any language that is contrary to federal law, nor does there appear to be contrary Articles or language that mute or hold irrelevant any other Article within the Constitution or Bylaws.

This concludes my informal review. If you have any questions or comments, please feel free to contact me.

P.S. At your earliest convenience, please forward to me the **current** (to include all amended language) clean copy of the Sault Ste. Marie Tribe of Chippewa Indians Constitution and Bylaws.

Thank you,

Nicholas VanAlstine  
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Michigan Agency  
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Sault Ste. Marie, MI 49783  
906-632-6809 ext. 3128

- **Tracing Indian Ancestry:** <https://www.bia.gov/guide/tracing-american-indian-and-alaska-native-ain-ancestry>
  - **Tribal Leaders Directory:** <https://www.bia.gov/bia/ois/tribal-leaders-directory/>
  - **Establishing Indian Ancestry:** <https://www.doi.gov/tribes/esablshancestrhttps://www.doi.gov/tribes/esablshancestr>
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