

April 6, 2022

Clyde Estes, Chairman, Lower Brule Sioux Tribe  
187 Oyate Circle  
Lower Brule, SD 57548

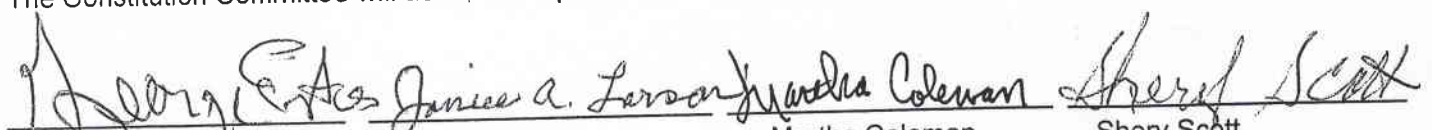
Dear Chairman and Tribal Council Members,

The Constitution Committee appointed by the Council one year ago has completed our assigned work to review the Lower Brule Sioux Tribe Constitution and Bylaws and identify needed changes. Tribal members have voiced needs for changes for many years and surveys were conducted for documented opinions. A survey collected 22 items for review from which the top 10 amendments were selected after a careful review of the constitution. These ten were presented in the March 2022 meeting. An 11<sup>th</sup> Amendment was proposed by the Council at that time. A team of attorneys developed the draft Amendments. It is now up to the Council to decide by resolution if or which amendments tribal members should have the opportunity to vote on and for the council to call for the BIA to conduct a Secretarial Election.

- \_\_\_\_\_ 1. Constitution, Article II – Membership Sect 1: Remove residency and blood degree requirements for enrollment. New Members may be enrolled as a 2nd or 3rd generation descendant of a parent or grandparent.
- \_\_\_\_\_ 2. Constitution, Article III – Governing Body - Sect 2: Add Council Member to represent Off-reservation tribal members. Total Council of (7)
- \_\_\_\_\_ 3. Constitution, Article IV – Elections – Sect 1: All tribal members may vote in General Elections regardless of residency
- \_\_\_\_\_ 4. Constitution, Article IV – Elections – Sect 3(d): Filing fees shall be reasonable and affordable to run for Council positions
- \_\_\_\_\_ 5. Constitution, Article VI – Powers of the Tribal Council - Sect 1(a): Tribal Attorney will not represent individual tribal members or Election Committee.
- \_\_\_\_\_ 6. Constitution, Article VI – Powers of the Tribal Council – Sect 1(r): Intoxicants no longer prohibited on reservation but will be regulated.
- \_\_\_\_\_ 7. Constitution, Article VI – Powers of the Tribal Council – Sect 1(s): Requires a majority of tribal members with minimum qualifications on boards. Public annual reports required of board members and corporation activities.
- \_\_\_\_\_ 8. Bylaws, Article III - Compensation: Council Members will be salaried employees under the Tribe's Personnel Policies and Procedures for salary, leave and benefits.
- \_\_\_\_\_ 9. Bylaws, Article IV – Meetings – Sect 2, Quorum: Quorum remain at (5), most conducive for a (7) member Council
- \_\_\_\_\_ 10. Bylaws, Article IV – Meetings – Sect 4, Ordinances, Resolutions, Motions, Publication, and Voting Ordinances Majority Vote to pass resolutions, 4 or more votes. Remove 2/3 fraction language. Allows for Chairperson to vote.
- \_\_\_\_\_ 11. Bylaws, Article I, Section 4: The Secretary shall be an appointed position selected outside the Tribal Council member body.

Full language of the Drafted Proposed Amendments were provided in the 13 page Proposed Amendments document from Attorney Tim Billion. Further revisions may be made with Council, Tribal Attorney and other Tribal staff, and BIA Regional Office Division of Tribal Government for Final Proposed Amendments.

The Constitution Committee will assist as requested.

  
George Estes      Janice Larson      Martha Coleman      Shery Scott