

FEEDBACK REPORT

The Mohawk Council Of Kahnawá:ke **Election Law Draft Amendments** **October 2013**

INTRODUCTION:

The OCC Unit is responsible for ensuring all aspects of the associated planning for the MCK Election Law. Trina C. Diabo is the assigned Technician to carry out the tasks related to the Draft MCK Election Law and the author of this report.

The scope was discussed and agreed to at the hearings, and three community members representatives appointed by the groups to ensure what the community mandated was within the draft before going back to the Community; they are Angus L. Montour, Lori Jacobs, and Joanne Patton.

The amended Draft MCK Election Law and the Synopsis of the amendments were made available for review online at www.kahnawakemakingdecisions.com and at the main MCK building from August 21, 2013 to September 27, 2013. Press releases were sent to Kahnawa'kehró:non requesting feedback to the draft amendments, by filling out the form and sending it, emailing it directly, or setting up face to face meetings.

The outcome of Community Decision Making Process is to gather the consensus on the recommended amendments. At the next scheduled hearing, the question that will be asked is "Were the proposed amendments captured within the new Draft Election Law?" "If not, what did we miss?" and "What should be added to the amendments?"

Throughout this review period, feedback was provided to the proposed amendments. There were also new suggestions made. This MCK Election Law Feedback Report will be posted on the website, and distributed for discussion at the next Hearing amongst the groups.

The next scheduled hearing is set for Tuesday, November 19, 2013. There will be much discussion required on the feedback received from the community, and the new suggested amendments. The feedback Report, the Draft Law and the synopsis of the proposed amendments are all available on line at www.kahnawakemakingdecisions.com Community members should take the time to read and review the documents related to the Election Law. Decisions will be made and they affect who will take on Kahnawá:ke leadership roles and who participates in the MCK Election. If you have any questions or just want to discuss over the phone or in person, the draft Law, please do not hesitate to contact Trina C. Diabo at 632-7500 ext 2278.

ANALYSIS:

1) Criteria:

The majority of the feedback received during this review period was related to the criteria to run for Council Chief in the MCK Election. There was a strong opposition to having the criteria coincide with the Kahnawá:ke Membership Law and the Kahnawá:ke Kanien'kehá:ka Registry. The community holds different opinions when it comes to the membership eligibility criteria on who can be a candidate for a leadership role in Kahnawá:ke. During the initial hearings, it was split, but in the end, consensus was reached by the third group to coincide with the Kahnawá:ke Membership Law and the Kahnawá:ke Kanien'kehá:ka Registry.

Although, there was 'only' opposition to the removal of the 50% blood quantum criteria. There was a recommendation made by a community member to remove the 50%, but say "both parents must be Native and at least one on the Mohawk Registry" or "both parents must be on the Mohawk Registry". This question will be asked to the Community on "what they agree to be the amendment in the eligibility criteria to be a candidate for Chief on Mohawk Council." *See the Verbatim Feedback on this amendment.*

The Membership Department was able to provide some insight and clarifications to the wording that is in the draft Law and suggested wording to ensure there would be less problematical situations at Election time. It was also clarified that there are in fact people on the initial Mohawk Registry that do not meet the current Kahnawá:ke Membership requirements.

The amended definition of Ordinarily Resident, it is meant to be a six month period for an eligible Mohawk of Kahnawá:ke who has left the community for a job or school (for example), they would have to return and stay in Kahnawá:ke for no shorter than that period before the Election. This definition will be posed back to the Community to ensure it is reflective of the hearing.

There were many suggestions at the hearings for criteria to be a candidate for Council Chief. Most of the suggested criterion was proven difficult to measure - how would an Electoral Officer determine that a candidate for example has knowledge of Mohawk Culture; will there be a written test for each interested candidate? It was suggested that all candidates must undergo a psychological assessment and pass it. This idea was explored and deemed unfeasible. What happens if there are 30/40 candidates, the cost is high and who would pay? How long before the Election? If done after the Election, what happens if one of the elected candidates fails the assessment? Is there another Election called? There was however a democratic and feasible recommendation made by a community member during this review period:

After someone is nominated and has accepted to run for Council it should be required that they write a 1-2 page letter of intent explaining why they want to run for Council Chief.

It should be treated just like a job application: Why are you running? What are your work/life/education background and experiences? What are your short and long term goals? What do you bring to the table? Where you ever participated in any type of boards? Program planning and development? Any other political groups? Explain a situation where you worked on a team, as a leader or organized an event, how do you deal with the public/people and while under pressure, etc...) A deadline should be set by the Electoral Officer to receive the letters. After the letters are received they should all be posted on a specific website created specifically for the community to review. They can also possibly be published in a special section of the Eastern Door, other media, etc...

If the nominee does not submit the letter they should be removed from the nominations list.

Give a 10 day review period then hold the candidates' night where they will be able to verbally reiterate and expand on what they wrote.

The community will have a better idea after reading and hearing what they have to say regarding their intention. It will give a more clear idea of seriousness, preparedness, readiness, etc...

The community wants an accountability mechanism for a Council Chief once they're elected. After careful examination of this suggestion, the problem on having an accountability mechanism within the Election Law, is that who ensures this is done. The MCK Election Law is intended for the Electoral Officer to run the election process. This is a very good recommendation, but might be better addressed within the Disciplinary Measures or a Regulation for Council Chiefs. An approach could be to introduce a form to be signed by each candidate linking them to an 'accountability mechanism' that can be developed and a person named in OCC, to oversee, monitor and maintain updates to the community during their elected period.

2) Electoral Officer

The authority of the Electoral Officer came into question, with Membership related issues. Though, the Electoral Officer has complete authority in decision making over the MCK Election; the Electoral Officer does not have the authority to have an individual put on the voters list. The wording has to be reviewed in the sections that give that sense of 'authority' to the Electoral Officer, and to the recommended Review Board.

Regarding the suggested amendments for “The Electoral Officer will ensure that no partisan election campaign advertising can be seen from the polling location, and ensure that no person enters the polling location with such advertising displayed” and “no fundraising is done at the polling location” came from feedback after the Hearings. The question to the Community will be “do you agree with these suggested amendments?” There was no feedback on this suggestion.

The issue with separating the regulatory issues from the Law, is that first, the community must decide what the Law will state; then the exercise of separating can be done. The discussion did take place on whether or not there would an Electoral Officer Manual created; there has been a difference of opinion on that question. The Law is considered the Electoral Officers official manual. It is determined that the Regulations developed, that are separate from the Law will assist the Electoral Officer in tightening up the process and procedures. But allowing the Electoral officer room to carry out the tasks required with his/her planning. The Electoral Officer has always had to submit a report at the end of each the Election Process as a contract requirement; it wasn’t written in the Law.

The amendment for the “Election Review Board” was not given at the hearing. There was feedback provided on this suggested amendment and it has been proven to be somewhat challenging. What happens if three (3) community members do not volunteer to sit on this Review Board? What happens with the timeline of the Election? The role of this Review Board is also challenging because it states that they would assist with Membership eligibility decisions. It has been clearly pointed out that ‘only’ the Kahnawà:ke Membership Department can determine Membership eligibility. There are the other duties listed that are within the capabilities, which are to assist with the Electoral Officers decisions in relation to the compliance with nomination procedures; application or non-application of a provision of the Election Law or its Regulations. The question to the Community will be “do you agree with this suggested amendment?”

3) Chief & Council Composition

There were no objections to the amendment to reduce the Council structure to eight (8) Chiefs and one (1) Grand Chief. There were concerns that “they have a difficult time now to get to all their portfolios, so how will this change affect the work getting done?” It was expressed that the decision to reduce the number of Chiefs should go to a referendum or be made in a public forum. As a clarification, the suggested amendment came from the hearing of the CDMP, which is a community public forum, but of course, the community shall decide what route they would like to take on this suggestion.

The analysis was based on the feedback received by five (5) emails, seven (7) detailed reports using the feedback form and three (3) face-to- face meetings.

VERBATIM FEEDBACK RECEIVED:

Every comment received is within this Report. In bold is the proposed amendment and right below are the comments and feedback received:

- 1) The definition for “Ordinarily Resident” has been changed to read: Means having lived in Kahnawà:ke for not less than six (6) consecutive months prior to the election in question and includes persons who return to Kahnawà:ke on a regular basis from their place of employment, training or schooling, as well as persons who do not reside in Kahnawà:ke due to housing shortages.**

The feedback received on this amendment was:

- a) “I do not agree with the time of six (6) months – that is not satisfactory time to be in the community to know who we are, what are issues are, our strengths and weaknesses and not enough time to be involved in any capacity before being able to run for Council. I propose this timeline should be extended to not less than 5 years, with all the other qualifiers remaining as written.
- b) Who will monitor residency and verify if an individual actually returns on a regular basis?

2) Definition of Nominator:

Feedback received on this definition:

- a) I think this needs to be changed due to the fact that not all nominators meet the requirements of the Kahnawá:ke Membership Law. Therefore, if a person is on the Kahnawá:ke Kanien’kehá:ka Registry and does not meet the 4 Great Grand Parent criteria, will they still be able to nominate a person? (6.1b)

3) Eligibility Requirements for Electoral Officer, Assistant Electoral Officers and Election Scrutineers:

The feedback received on this amendment was:

- a) Should add another bullet “e” to read must not be married or living common law with a non-native person. The reason for this, is that we have no Council of Elders, we have individuals who married a non-native and cannot be removed from the Kahnawá:ke Kanien’kehá:ka Registry. (This will change when the Kahnawá:ke Membership Law is finalized and individuals are able to be removed from the Kahnawá:ke Kanien’kehá:ka Registry.

- b) Does a candidate for Electoral Officer have to be over the age of 21? It should read 21 and over. Clarification required.
 - c) The Electoral Officer should not be an elected position. The professional person/or firm should be contracted.
- 4) The eligibility criteria for all aspects of the Law will now coincide with the Kahnawá:ke Membership Law. The Law will no longer make reference to blood quantum.**
- **Who can be an Electoral Officer**
 - Who can nominate and second candidates**
 - Who can be nominated as candidate**
 - Who can vote in the MCK Election**

The feedback received on this amendment was is as follows:

- a) **Who can be nominated as candidate/Who can be Electoral Officer/Scrutineer/Eligibility to Vote:** I am not in agreement to removing the reference to 50% blood quantum, as 4 Great Grandparents could mean someone with very limited Mohawk blood or lineage. I feel very strongly about this and do not want someone of European decent making decision for me or future generations. This applies to who can run for office, who can be part of the election process or who can vote.
- b) **Who can be nominated as candidate:** The reference to blood quantum must remain, 50% or more.
- c) **Who can be nominated as candidate:** We were at the Hearing and heard community members state that the Election Law should retain 50% blood quantum for members to be nominated for a leadership role.
- d) **Who can be nominated as candidate:** I am objecting to the removal of the 50% blood quantum criteria. This has been in place for many elections with general acceptance by community and candidates. I understand the sensitivity of the issue and inconsistency with the membership law (which is also under review). The “rights” of member’s is something that still needs to be address in the process with membership. Theoretically, the right to seek or hold office could be removed as an absolute right in the law. As an alternative to removal of 50%, I recommend the law be amended to say “both parents must be Native and at least one on the Mohawk registry” or “both parents must be on the Mohawk registry”.
- e) **Who can be nominated as candidate:** I DO NOT AGREE with removing the 50% blood quantum to hold office. The Membership Law – 4 Great Grandparents gives people certain benefits in this community, but I think you need to be predominantly MOHAWK to be a Governing representative. If you remove 50% then say both of your parents have to be Kanien’kehá:ka. I DON’T AGREE that the Election Law needs to jive with the Membership Law. There are certain rules that allow you to get in the house, and then there are a different set of rules when you are in the house. One of them is that you

have to be MORE like us than anything else. If you are more non-Native than Kanien'kehá:ka, then you cannot hold a position for our Government.

- f) **Who can be nominated as candidate:** I disagree with the proposed strikeout of 15. 1 (a) must be fifty (50 %) percent or more Mohawk Blood quantum. I believe 50% or more Mohawk Blood quantum is a necessary requirement to hold office as a Chief. My reasons are as follows: Kahnawà:ke is not yet a recognized Nation who has the authority to determine the criteria for citizenship. As a consequence, it has been argued by Quebec in court that Mohawks of Kahnawà:ke cannot claim an Aboriginal Right, because we can no longer call ourselves Mohawk due to extensive intermarriage with non-Indians and other non-Mohawks. Retaining the blood quantum requirement is a counter argument to this, if so challenged again in the future, it would not be to our advantage for a Chief to admit on the witness stand they themselves do not have 50% or more Mohawk Blood quantum.
- g) **Who can be nominated as candidate:** I find it would be morally challenging for a Chief with less than 50% Indian blood quantum to advocate for border crossing rights with the United States when their policy clearly establishes a 50% threshold to exercise a border crossing right.
- h) **Who can be nominated as candidate:** The 50% or more rule was established after considerable public debate at community meetings. I am unaware of any changes in our community that would justify its removal.
- i) **Who can be nominated as candidate:** 4 great grandparents preferably more. I know the membership criteria but these people are making decision for us all.
- j) **Who can be nominated as candidate:** I was at the CDMP hearings and was under the impression the 50% blood quantum would be staying in the Election Law. I still think it should remain in.
- k) **Who can be nominated as candidate:** I think that section 15.1 (a) I think this should remain in the Election Law. I don't think they will want someone who is well below the 50% criteria. There are individuals on the Kanien'kehá:ka Kahnawá:ke Registry and who have 4 Great Grand Parents and are quite a bit less that 50% blood quantum.
- l) **Who can be nominated as candidate:** A candidate for Council should still be at least ½ (50%) that is having two (2) Mohawk parents. If the community says otherwise then a newly enrolled member should have a waiting period before running for a position on Council. Maybe a 2-3 year period.
- m) **Who can be Electoral Officer/Scrutineer:** There are difficulties in the 2003 Membership Law to suspend a member for marriage to or living in a common law relationship with a non-indigenous person, so there are a number of persons who are in this situation who remain on the Kahnawá:ke Kanien'kehá:ka Registry. Should a person to be considered for Electoral Officer or scrutineer be allowed to be married to a non-Indigenous Person? Membership Department recommends add a similar requirement for a nominee in Sections 6.1 and 10.1 (c).
- n) **Eligibility to Vote:** Review the criteria on "who" can vote.
- o) **Eligibility to Vote:** In Section 26.1(a) - This statement is incorrect in saying that a person must meet the requirements of the Kahnawá:ke Membership Law. We have individuals on the Kahnawá:ke Kanien'kehá:ka Registry who do not meet the criteria of 4 Great

Grand Parents. Should remove “must meet...of the Kahnawà:ke Membership Law and” instead should read must be listed as a member on the Kahnawá:ke Kanien’kehá:ka Registry and “.

- p) **Eligibility to Vote:** In Section 26. 1(c) - Should read only “must be listed on the voter’s list.” The way it reads now, is that if a person is not on the Kahnawá:ke Kanien’kehá:ka Registry and they meet the criteria of the Kahnawà:ke Membership Law, they will be able to vote in the election. A person must be on the Kahnawá:ke Kanien’kehá:ka Registry to be on the voter’s list to be eligible to vote. No one has the authority to include individuals on the voter’s list except for the Registrar or Council of Elders.

5) The Electoral Officer will not be able to appoint his/her spouse or immediate family member as their Assistant Electoral Officer, and/or scrutineer.

Feedback received on this amendment was:

- a) “It seems that the Electoral officer should be able to select who is most appropriate to work with. Although, there are some challenges with selection of a spouse, perhaps this should be extended to immediate family, not just a spouse.
- 6) The Electoral Officer now will have to maintain and record in a log book all problematic events or issues, which occur, and decisions taken from the time he or she is appointed until the time of the official announcement of elected candidates.**

Feedback on this amendment was:

- a) “Isn’t this done always?”

7) The Council Composition has been changed to a nine (9) member Council composed of eight (8) Council Chiefs and one (1) Grand Chief.

Feedback on this amendment was:

- a) I support the reduction Chiefs, but there needs to be a good assessment done on the pros and cons of this. I have concern that people will blindly support this without looking at it objectively. Simply feel that we are automatically getting rid of 3 Chiefs! Less to deal with kind of thinking.
- b) I fully support the amendment for the number of Council Members being lowered to nine (9) from 12.
- c) Consider making it 10 Chiefs instead of nine (9). Nine (9) Chiefs and one (1) Grand Chief, making the quorum 6 and it won’t look like we are trying to mimic the Traditional

System. 12 was used when there were “sections” for elections which is no longer used. I’d prefer to see 10 Chiefs as nine (9) might be too few for the amount of work and files.

- d) Agreeable to go to eight (8) Chiefs and one (1) Grand Chief.
- e) Agreeable to go to nine (9), but there needs to be better skill requirements to be a Chief. Perhaps more technical support of some kind and training on how to manage emails and time management to ensure reading of documents occur. Chiefs should be required to come to work for the number of hours they are expected to be there. Riding around is not work. Less Chiefs = more work for them. Unsure how this will work, some can’t handle the portfolios they have now.
- f) This decision should go to a referendum or be made in a public forum.
- g) I agree that the number of Chiefs should be reduced to nine (9).
- h) I certainly agree with nine (9) instead of 12 Chiefs.
- i) I can agree with reduction of nine (9), but I can’t understand why you would go to an uneven number? I would suggest going to six (6). It should be looked at again and phase it to six (6) later on.

- 8) The added criteria to hold office is that a Council Member must declare all their private business holdings and cease to hold any decision making authority with respect to said business holding during the term of their office; and if he or she has served on Council in the term immediately before the current election, must not have been removed from office.**

Feedback on this amendment was:

- a) Added criteria should be “Participation on a Board of Directors and at least high school diploma and higher for Grand Chief.”
- b) A Chief cannot own or operate a business at the same time as holding office. How will this be monitored? This is a good thing to become criteria, but they will put another name to it and still work it.
- c) The Eligibility Criteria needs to be determined, not just anyone can run and be elected because of family or money. It’s just not right. In my group we discussed this and I do not see reflection of this aside from owning a business. Minimum high school, minimum community board participation for at least one term and volunteering in the Community. Be living here at least five (5) years. There needs to be training requirements on time management, communications and basic writing, clan culture and consider a mentoring of people from varied units and departments. And basic reading and comprehension skills. Consider a pre-evaluation for candidacy.
- q) For sure no candidates from other Nations.
- r) Need to determine a method to benchmarking Chief’s achievements annually (involvement in portfolios, technicians, and personal accomplishments) and a position named as responsible for getting this done.

- s) After someone is nominated and has accepted to run for Council it should be required that they write a 1-2 page letter of intent explaining why they want to run for Council Chief.

It should be treated just like a job application (i.e. - Why are you running? What are your work/life/education background and experiences? What are your short and long term goals? What do you bring to the table? Where you ever participated in any type of boards? Program planning and development? Any other political groups? Explain a situation where you worked on a team, as a leader or organized an event, how do you deal with the public/people and while under pressure, etc....)

A deadline should be set by the Electoral Officer to receive the letters. After the letters are received they should all be posted on a specific website created specifically for the community to review.

They can also possibly be published in a special section of the Eastern Door, other media, etc...

If the nominee does not submit the letter they should be removed from the nominations list.

Give a 10 day review period then hold the candidates' night where they will be able to verbally reiterate and expand on what they wrote.

The community will have a better idea after reading and hearing what they have to say regarding their intention. It will give a more clear idea of seriousness, preparedness, readiness, etc...

- 9) All ballots cast at in a Special Poll will be retained in a locked ballot box and remain in a secure- location and in the legal possession of the Electoral Officer until the close of the poll on Election Day.**

Feedback on this amendment was:

- a) "A secure location and legal possession should both be defined. Do not leave any room for interpretation.
b) These should be safeguarded not locked up.

- 10) There will be the creation of an Election Review Board. This Board will comprised of three (3) members and one (1) auxiliary member, all selected at the same meeting at which the Electoral Officer is selected. Board members must have the same eligibility requirements as the Electoral Officer. The Board members hold office from the date of their selection until the polls close on Election Day.**

The Board's function is to, when requested by an Elector, review the decision taken by the Electoral Officer with respect to such decisions as:

- a) a candidate's eligibility to run in the election or to hold office;**

- b) compliance with nomination procedures;
 - c) application or non-application of a provision of the Election Law or its Regulations;
 - d) an Elector's eligibility to vote;
 - e) a community member's eligibility to be on the Voter's List;
 - f) any other decision taken by the Electoral Officer prior to the closing of the polls on Election Day.
- Requests for review of a decision of the Electoral Officer are made verbally and decided as expeditiously as possible and in such a manner as not to inhibit to election proceedings. Decisions of the Board are final.

Feedback on this amendment was:

- a) Requests for a "Review" must be in writing.
- b) Need more discussion on the Election Review Board. Do not remember this from the Hearings.
- c) The Elections Review Board is a good idea, however, may not be practical to find three (3) Community Members to compose the Board. For the 2012 MCK Council Election, there was a community meeting held to confirm the acceptance of the Electoral Officer where no Community Members showed up. There were only MCK Employees and the Electoral Officer's family who were present. If there are not three (3) Community Members willing to be on the board, will this stop the election process? Also, it is always the Registrar that verifies Membership and the voters list. This responsibility cannot be given to a Board.

11) There will be an Advanced Poll Application Form created.

Feedback on this amendment was:

- a) There should be a special form developed, and a person must fill out their full name and Band Number, in order to be identified properly.
- b) Too many restrictions on reasons to vote in a Special Poll.
- c) There should be a Special Poll Kit for pre-votes. Obtaining the ballots from the Kahnawá:ke Hospital, or the Elder's Lodge. A form that must be signed by the voter and a witness (i.e. Peacekeeper) and documented by the Electoral Officer.
- d) Page 13, section 24.1 - If procedures are to be created, it should be noted in there that when a person makes their request to vote in a special poll, their name and band number should be included in the request. There are many individuals with the same name or include nicknames. This will help identify the correct individual making the request.

12) Election Day Voting Procedures:

The feedback, comments and suggestions for amendments:

- a) Create a Process & Procedures for voting and ballots. The procedures for the voting on voting day must be revisited. There are some concerns with the wording within the Law. The voting procedure should be separate from the Election Law. There is a need for a step by step process, but technology changes often; therefore no technology should be listed within the Law. Currently, lap tops are used, as the voters list, and it maintains the tally of the ballots provided, so the number and names of ballots provided are being saved to the hard drive. In case of a power failure, these lap tops can be taken to a location where there is power and the up to date list of the community members provided with a ballot can be printed.

The actual number of ballots cast, at the end of the day, is dependent on the actual of physical ballots, which must be counted by the Election Scrutineers under the supervision of the Electoral Officer.

All voters should have to show their Band Card as identification before voting. But have provisions if a person doesn't have his/her Band Card.

Limit the polling stations to four (4) instead of six (6), less chaos.

There must control in the ballot area. The numbers of actual ballots cast, don't match the computer list. The Electoral Officer must be stricter. Strongly suggest serving one (1) Community Member at one time, to avoid 'chaos.' When more than one person is obtaining their vote at same time, it opens the door to mistakes. Example chatting, then the scrutineer may forget to punch in that the ballot was provided, or only punch in one person out of a 'couple'.

All official casted ballots must be counted accordingly and be conveyed to the Community. This includes the number of ballots casted, and number of spoiled ballots. The exact number of votes must be announced at the same time, as the announcement of who is officially elected.

The Membership Department is on location to "observe" the voting process, but they're not involved. They are verifiers of Membership Status.

There should be a better budget for the Electoral Officer in order to run the Election more efficiently.

Observers should be allowed in the counting rooms, but only one (1) per candidate. They can be on hand to witness, and object to a decision of a spoiled ballot.

Grammar & Typo Changes:

10.2 Should say “Prominent” locations, not conspicuous.

18.6 Person(s)

22.1 Remove Kahnawà:ke

Definitions need updating. i.e. Registrar is not appointed, but awarded the position through competition.

General Comments Received:

The majority of amendments seem to make sense and I have no objections to the process and administrative type changes.

The Election Law requires the Registrar to provide the voters list 30 days prior to the Election. This is not practical, since MCK Membership is able to provide an electronic up to date electronic program to confirm electors for special and general polls. It is more practical to require the Registrar to provide the voters list before the set dates of the Election.

Someone should already be listed on the Kahnawá:ke Kanien’kehá:ka Registry to be eligible to vote. It is the responsibility of the Membership Registrar to ensure the list is up to date before an election and provide an elector list before an election. Once the election starts, it is the registrar and the membership department who verify membership and the eligibility to be on the voters list.

New Suggested Amendments:

- a) It was suggested by more than one Community Member to have a new form developed for a candidate to complete to decline or withdraw from their nomination, rather than having to prepare a sworn statement. The question to the Community will be “do you agree with this suggested amendments?”
- b) For the Special Poll, the Electoral Officer should ensure that the written request to participate in a Special Poll includes the person’s name and their band number to ensure accuracy of the verification of the elector by the Registrar, since many people have the same name or use nick names.
- c) There are difficulties in the 2003 Membership Law to suspend a member for marriage to or living in a common law relationship with a non-indigenous person, so there are a number of persons who are in this situation who remain on the Kahnawá:ke Kanien’kehá:ka Registry. Should a person to be considered for Electoral Officer or

scrutineers be allowed to be married to a non-Indigenous Person? Membership Department recommends add a similar requirement for a nominee in 10.1 (c) See 6.1 and 10.1 (c).

- d) Once the Election is set up with the Electoral Officer and his scrutineers. The scrutineers provide a ballot and verify ballots are provided against the voters list, which is provided by the Registrar. The Membership Department is still responsible to verify membership and handle any inquiries on verification of individuals on the voters list. Sections 19.5 21.3; 21.7 & 21.8.
- e) The registrar and the Membership Department have the responsibility to verify the nominees the members on the Kahnawá:ke Membership Law (and the 50% blood quantum, if required). See definitions of community member, elector, nominators, 15.1(a), not 15.1 (b) seems redundant, 9.3, 19.5, 21.6, 21.7 and 26.1 (a). Wherever there is a reference in the Election Law to a member under the Kahnawá:ke Membership Law, we recommend that wording like: an elector is a member listed on the Kahnawá:ke Kanien'kehá:ka Registry as set out by the Kahnawá:ke Membership Law. We believe that it is incorrect to use the description 'an elector who meets the requirements of the Kahnawá:ke Membership Law' since the initial Mohawk Registry included some people who do not meet the current Membership Law Requirements. (see 2.1 definition of Community Member, Elector, Nominators, 6.1 (b), 15.1 (a) and 26.1 (a))
- f) Theoretically, the right to seek or hold office could be removed as an absolute right in the law. As an alternative to removal of 50%, I recommend the law be amended to say "both parents must be Native and at least one on the Mohawk registry" or "both parents must be on the Mohawk registry".
- g) After someone is nominated and has accepted to run for Council it should be required that they write a 1-2 page letter of intent explaining why they want to run for Council Chief.

It should be treated just like a job application (I.e. - Why are you running? What are your work/life/education background and experiences? What are your short and long term goals? What do you bring to the table? Where you ever participated in any type of boards? Program planning and development? Any other political groups? Explain a situation where you worked on a team, as a leader or organized an event, how do you deal with the public/people and while under pressure, etc....)

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