03-0246

Indian Affairs Council
2002 Annual Report

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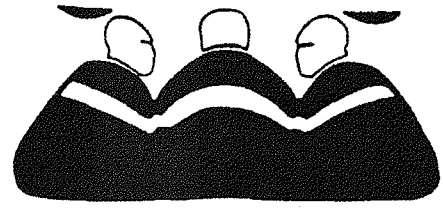


The Red Lake Nation

A leader in sovereignty, politics, education and economic development

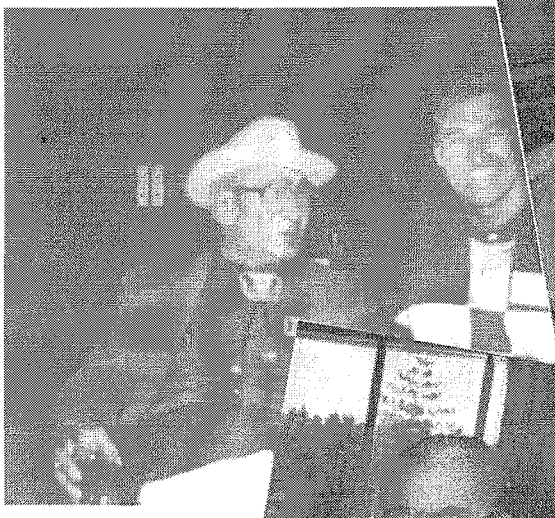
Minnesota Indian Scholarship - Funding grows from $5,000 in 1955 to $1.6 million in 1990 for Indian Education!

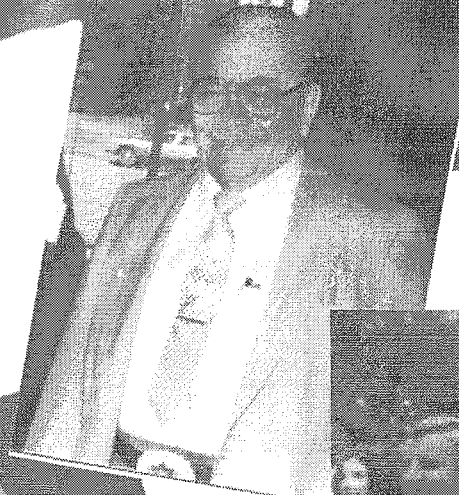
By Joe Aitken

It is a well-known fact and publicly documented that Roger Jourdain, along with Senator Leonard K. Dickinson and Representative John Metcalf in 1953-54, were the ones that created the Minnesota Indian Scholarship Program. It started with $5,000 in 1955 and has expanded to 1.6 million dollars annually in 1990 for Minnesota Indians to pursue an education at colleges and vocational schools.

In 1960, Red Lake had no more than a few dozen enrollees in post-secondary education. Today, Red Lake has hundreds of enrollees in post-secondary institutions. In 1960, the Indian Scholarship monies were only $7,500 for Indian students in Minnesota. Today, it is 1.6 million dollars!

Red Lake is graduating more Indians today from high school, colleges and vocational schools than in the history of the State of Minnesota. These Red Lake Indian graduates are working today to develop a pipeline for future Red Lake Nation graduates. Without the support and help of Roger Red Lake, Minnesota would not have the largest Indian education program in the country. In Beltrami County, the State of Minnesota, and the United States, Roger Jourdain is known for leadership, influence and positive growth for the Indian people.





"GI-NEW-GUAN-NAI-AUSH / GWE-WII-ZAINCE"
1912 - 2002

Roger A. Jourdain dedicated his life to Indian people, the land, the culture, and more specifically his "fellow tribesmen".

In 1959 Roger Jourdain was elected as the first Tribal Chairman of the Red Lake Nation, a position he held for 31 years. Chairman Jourdain, in his new position, did not abandon the traditional ways of the Red Lake Nation, but rather retained the hereditary chiefs as advisors to the Tribal Council. Under his administration, new homes were built, better roads constructed, retail centers were established in both Red Lake and Ponemah. The Red Lake Nation Tribal Information Center, Library and Archives was established as well as new and improved health services. The creation of the Jourdain/Perpich Nursing Home was hailed as "unique" a tribal, federal and state effort not seen elsewhere in the United States. He was instrumental in the establishment of the Minneapolis Indian Health Board, and the list goes on.

Roger Jourdain's influence on the Minnesota Indian Affairs Council, which reorganized in 1976, was evident when the eleven sovereign Tribes became members of the Minnesota Indian Affairs Council (MIAC) by virtue of their elected positions within their respective reservations. Through the MIAC the tribes have cemented their authority over State Indian Affairs and their authority to speak for the estimated 60,000 American Indians in Minnesota.

Chairman Jourdain, along with Senator Leonard R. Dickinson and Representative John McKee in 1952-53-54, created the Minnesota Indian Scholarship Program. Chairman Jourdain was particularly proud of this because he knew educational funding was a treaty right that he, himself, was denied when he was young.

Chairman Jourdain received many local, state and national award: including the Red Lake Band of Chippewa Indians Humanitarian Award, March 21, 1989, Indian Man of the Year, 1987. He was recognized by many groups and named one of Minnesota's most Influential People of the Millennium by the Star-Tribune on Dec. 29, 1991.

The people will continue to benefit from his legacy of determination, commitment, strength, insight and his enduring love for them.

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TABLE OF CONTENTS

Page

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COUNCIL DESCRIPTION AND BACKGROUND INFORMATION

The Minnesota Indian Affairs Council (MIAC) was established in 1963 (MN Statutes Chapter 888, Sec. 2 (3:922)). MIAC is the official liaison between the State of Minnesota and the eleven Tribal Governments within the State. The Council provides a forum for and advises state government on issues of concern to urban Indian communities. The Council administers four programs designed to enhance economic opportunities and protect cultural resources for the State's American Indian constituencies. The MIAC plays a central role in the development of state legislation. It monitors programs that affect the State's American Indian population and tribal governments. Minnesota was the first state in the nation to establish an Indian Affairs agency that today still provides a model for other states to follow.

VISION STATEMENT

"The Indian Affairs Council's vision is to strive for social, economic and political justice for all American Indian people living in the State of Minnesota, while embracing our traditional cultural and spiritual values."

MISSION

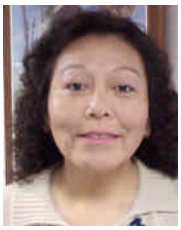
The mission of the Indian Affairs Council is to protect the sovereignty of the eleven Minnesota Tribes and ensure the well being of American Indian citizens throughout the State of Minnesota.

INDIAN AFFAIRS COUNCIL - AT-LARGE MEMBERSHIP

The two at-large members on the MIAC Board of Directors represent America Indian tribal members that are not from a Minnesota-based tribe, but are residents of Minnesota. There are over twenty different Indian nations represented by residents living in Minnesota from out-of-state tribes. The issues that urban American Indians face everyday are similar to tribal issues, but these needs are generally addressed through community service programs. Unemployment, education, housing and health are just a few of the issues that are addressed by the Council's at-large members.

BOARD OF DIRECTORS

Executive Board



Chairman of the Board

President Audrey Bennett

Prairie Island Mdewakanton Community
1158 Island Blvd
Welch, MN 55089

phone: 651.385.2554 ▪ fax: 651.388.1576

Vice Chairman

Chairman Norman Deschampe

Grand Portage Reservation
PO Box 428
Grand Portage, MN 55605

phone: 218.475.2279 ▪ fax: 218.475.2284 ▪ email: normand@grandportagemn.com

Secretary

Chairman Helen Blue

Upper Sioux Community
PO Box 147
Granite Falls, MN 56241

phone: 320.564.3853 ▪ fax: 320.564.4482 ▪ email: Helen@uppersiouxcommunity.org

Treasurer

Chairman Eli Hunt

Leech Lake Band of Ojibwe
6530 US 2 NW
Cass Lake, MN 56633

phone: 218.335.8200 ▪ fax: 218.335.8309

Board

Member

Chairman Gary Donald

Bois Forte Band of Ojibwe
PO Box 56
Nett Lake, MN 55772

phone: 218.757.3261 ▪ fax: 218.757.3312 ▪ email: gdonald@rangenet.com

Member

Chairman Robert Peacock

Fond du Lac Reservation
1720 Big Lake Road
Cloquet, MN 55720

phone: 218.879.4593 ▪ fax: 218.879.4146 ▪ email: robertpeacock@FLDrez.com

Member

Chief Executive Melanie Benjamin

Mille Lacs Band of Ojibwe
43408 Oodena Drive
Onamia, MN 56359

phone: 320.532.4181 ▪ fax: 320.532.4209 ▪ email: melanieb@millelacsojibwe.ns.us

Member

Chairman Doyle Turner

White Earth Reservation
PO Box 418
White Earth, MN 56591

phone: 218.983.3285 ▪ fax: 218.734.3641 ▪ email: doylet@tvutel.com

Member

Gerald "Butch" Brun

Red Lake Band of Chippewa
PO Box 550
Red Lake, MN 56671

phone: 218.679.3341 ▪ fax: 218.679.3378

Picture not available

Board Members

Picture not available

Member

Chair Ann Larsen

Lower Sioux Community
RR#1, Box 308
Morton, MN 56270

phone: 507.697.6185 ▪ fax: 507.637.4380

Member

Chairman Stanley Crooks, Sr.

Shakopee-Mdewakanton Community
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At-Large Member

Iva Bunker

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phone: 612.813.1610 ▪ fax: 612.813.1612 ▪ email: bunker2020@msn.com

At-Large Member

Gordon Thayer

American Indian Housing & CDC
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Minneapolis, MN 55404

phone: 612.813.1610 ▪ fax: 612.813.1612 ▪ email: aihcdc@aol.com

SPECIFIC PROGRAMS

Indian Business Loan Program

Legislation establishing the Indian Business Loan program provides Minnesota-based Indians with a percentage of the financial resources needed to start or expand a business enterprise in Minnesota. Funds are derived from the $.40 an acre taxation of severed mineral interests held by individuals, corporations or organizations in Minnesota. Twenty percent (20%) of the tax, or $.08 per acre, is remitted by the counties and deposited with the State Treasurer's office in a special revolving loan fund designated as the "Indian Business Loan Account," and administered by the MIAC. Approval or rejection of most loan applications is the responsibility of the Tribal Council where the applicant is enrolled.

Applicants must be enrolled in a Minnesota-based Tribe with a blood quantum of 25% or more and businesses must be 100% owned by eligible Indians. The MIAC at the Bemidji office receives applications. The Council reviews the application for compliance with Minnesota Statute 116J.64 and Minnesota Rules 5100.02-.09. Those applications in compliance with the Statute and rules are forwarded to the appropriate Tribal Council for approval or denial. The Tribal Council approves or denies by Resolution and forwards their decision to the MIAC for loan processing, administration, and collection. The law requires that a reasonable portion of the funds allocated to each reservation under this program be reserved for businesses located off the reservation. Each Tribal Council decides how much of its available funds will be used for this purpose.

In fiscal year 2002, the mineral tax collected and deposited into the Indian Business Loan account totaled $106,039. Interest earned and collected from the State Treasury deposited to our account in FY 2002 totaled $45,809. Loan payments returned to the revolving loan fund totaled $89,862.

The first Indian business loan was approved in June of 1981. Through June 30, 2002, 207 loans have been made totaling $2,609,255 to Indian businesses in the state. These monies have a wide-ranging impact in terms of the types and number of businesses that are assisted, both on and off the reservation.

Indian Economic Opportunity Program

The MIAC maintains an annual interagency agreement and funding grant for the Indian Economic Opportunity Program through the Department of Children, Families and Learning (CFL). This program provides information and technical assistance to Indian Reservations in Minnesota.

A CSBG provides federal monies each year from the CFL to the MIAC for this position. This grant provides funds for the Economic Opportunity Program Specialist to provide information and technical assistance for a wide range of programs and activities that impact causes of poverty in reservation communities. The interagency agreement enhances the Council's relationship with tribal governments by promoting understanding of programs, identifing problems, and recommending solutions to ensure the objectives of the respective programs are met.

Contracts and allocations for various programs are awarded to the eleven reservation tribal governments, based on the most recent census count. In most instances, grant awards do not begin to meet the needs of most reservations. Base funding is also provided to each reservation grantee. For this reason, coordination of grant planning among Community Service administered grants is essential. Grants include Community Services Block Grant (CSBG), Minnesota Economic Opportunity Grant

(MEOG), Emergency Shelter Grant Program (ESGP) and Rural Housing and Stability Program (RHASP).

Goals and Objectives of the Indian Economic Opportunity Program

Each reservation's government determines which unique program activity must be accomplished to meet the needs of its low-income residents. Coordination of grant planning is essential, as is the mobilization of supplemental resources. Site visits are made two times a year to monitor the status of current contracts. These visits ensure that each grantee is progressing successfully and reporting in a timely manner. A monitoring report is sent to grantees on findings and compliance issues within thirty days of the visit.

During the past year, several staff changes have occurred on various reservations, with the coordination of the EOG grant program. Training of staff is essential in administering the programs and every effort is made to focus on clients and families becoming self sufficient to alleviate poverty in the communities. The CFL office staff will continue working to support efforts to enhance information and communication among all grantees.

Continuation of this program is dependent on federal funds and support from the CFL and the MIAC.

Activities

This is the 20th year the CSBG has funded the position of Economic Opportunity Specialist. This employee maintains office hours at the MIAC's office in Bemidji as well as at the CFL in St. Paul. The main focus is to educate program staff in efficiency and accountability for delivery of services to all grantees.

Cultural Resource Program

The MIAC has a cultural and legal responsibility to monitor and enforce laws that protect American Indian human remains and associated burial items. Cemetery sites are protected under MN Statute the “Private Cemeteries Act” (M.S.307.08). As well as under Federal law “Native American Graves Protection and Repatriation Act” (NAGPRA), public law 101.601. These laws represent just a few of the many enacted that assist the MIAC in carrying out its responsibility to protect Minnesota Indian burial sites and return Indian human remains and burial goods to their rightful tribal affiliations and resting place.

Minnesota Native American Reburial Project (MNARP)

MNARP began in fiscal year 1991. Special legislative funding was issued to the MIAC. The purpose of the project had four parts that follow federal law:

- To identify American Indian human remains currently residing in the collections of various institutions in the state.
- To create an inventory and database of all available information (reports, notes, references sites, etc.) regarding American Indian human remains and associated burial items previously exhumed in the state.
- To identify individuals and prepare the human remains and burial items for reburial, and
- To arrange reburial ceremonies.

Native American Graves Protection and Repatriation Act (NAGPRA)

These regulations develop a systematic process for determining the rights of lineal descendants and members of Indian Tribes and Native Hawaiian organizations to certain Native American human remains and cultural items with which they are affiliated. These regulations pertain to the identification and appropriate disposition of human remains and cultural items that are:

- In Federal possession or control; or
- In the possession or control of an institution or State or local government receiving Federal funds; or
- Excavated or discovered on Federal or Tribal Lands.

The MIAC has initiated a very comprehensive program for reburial of human remains of American Indian people that have been unearthed in the past. Some of these remains have been stored in various institutions throughout the state. The first objective was the development of an inventory of the remains to properly establish tribal identification. Priorities for reburial were established and methods were developed to secure the various burial sites. The intent of the reburials is to address issues of identification in the most expeditious manner so the remains are re-interred as soon as possible to their appropriate locations.

Since 1986 the MIAC has re-interred over 3500 hundred American Indian skeletal remains that have been transferred and turned over to the MIAC under state law. Currently, there are less than 150 American Indian human remains that are still in control of the Council. These other collections will be returned this coming spring to the appropriate Tribal communities for reburial.

The process, developed by the MIAC in cooperation with the Office of the State Archeaelogist (OSA), for returning human remans to to the appropriate Tribal community has been used as a model for many other states across the United States.

SPECIAL PROJECTS

While participating in a number of separate programs as part of its overall mission, the MIAC has come to be recognized, and utilized, as a storehouse and clearinghouse for information and projects as they relate to Indians in Minnesota. As a database for information regarding Indians, the IAC is called upon to participate and/or initiate a variety of activities and programs for the overall benefit of Indians in the state, which often fall into a 'special projects' category. These projects are often funded for no more than one year. They are considered short term in duration and therefore are not housed within the umbrella of the MIAC. The MIAC is also called upon to enter into interagency agreements with other state agencies in order to develop activities or programs that will benefit the Indian community.

MIAC–FY 2002 BUDGET AND EXPENDITURES

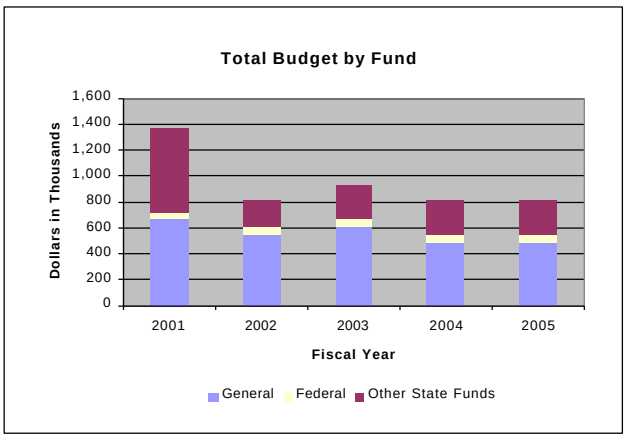
Direct Appropriations FY 2002

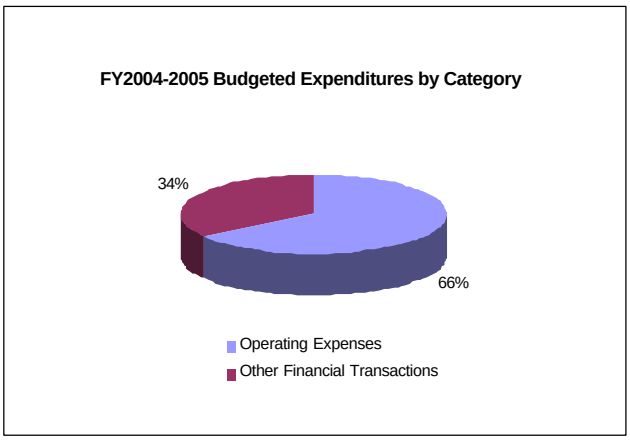
Indian Affairs Council

	Item	Budget	Expenditures
General Operations			
	Personnel	366,460	369,226
	Operations/Travel	189,816	151,318
	Sub-Total	556,276	520,544
	Over/(Under) Budget		(35,732)
Indian Affairs Board			
	Board Compensation	3,200	2,585
	Travel/Mtg	5,878	10,790
	Sub-Total	9,078	13,375
Cultural Resources			
	Operations/Travel	18,646	10,830
	Sub-Total	18,646	10,830
	Total Direct Appropriations	584,000	544,749
	Over(Under)		(39,251)
	Mandated FY 2002 Cut		(34,040)
	Actual Biennial Carry Forward		5,211
Indian Economic Opportunity Program			
	Salary/Travel	60,000	67,769
	Total Federal Funds	60,000	67,769
Agency Total – Indian Affairs Council		1,887,496	1,791,946

Indian Business Loan Fund	Budget	Actual
Special Revenue		
Mineral Tax Receipts	150,000	106,039
Loan Repayments	113,950	89,862
Interest Earned	60,000	45,809
	323,950	241,710
Loans Disbursed		<206,250>
Increase (decrease) in fund balance		35,360

2003-2004 BIENNIAL BUDGET





Dollars in Thousands Governor's Rec Expenditures by Budget	Actual FY2001	Actual FY2002	Preliminary FY2003	FY2004	FY2005	Biennium 2004-05
Direct Appropriations						
General	665	545	606	482	482	964
Statutory Appropriations						
Special Revenue	655	206	253	274	274	548
Federal	57	67	68	80	60	120
Total	1377	818	927	836	816	*1632*
Expenditures by Budget						
Operating Expences	728	612	682	547	547	1094
Statutory Appropriations	649	206	245	269	269	538
Total	1377	818	927	816	816	1632
Expenditures by Program						
Indian Affairs Council	1377	818	927	816	816	1632
Total	1377	818	927	816	816	1632
Revenue by Type and Fund						
Non Dedicated						
General	0	0	1	1	1	2
Total	0	0	1	1	1	2
Dedicated						
Special Revenue	281	243	274	274	274	548
Federal	64	60	60	60	60	120
Gift	0	0	1	1	1	2
Subtotal Dedicated	345	303	335	335	335	670
Total Revenue	345	303	336	336	336	672
Full-Time Equivalents (FTE	7.7	7.7	7	6	6	

2002 MINNESOTA LEGISLATIVE REPORT

S.F. 2873 – Upon agreement between Cook County Board and the Grand Portage Reservation Tribal Council, Cook County may convey the land and property of the Mineral Center Cemetery to the Grand Portage Reservation.

- Governor signed; Mar. 14, 02.

S.F. 3100 – Relating to Human services; establishing approved tribal health professionals as medical assistance providers; reimbursement for certain health services; American Indian Contracting provisions.

- Governor signed; Mar. 25th, 02.

H.F. 3196 – Authorizing the commissioner of administration to adopt rules relating to state archaeology. Directs the State Archaeologist to provide yearly reports to the MIAC and other interested parties.

- Governor signed; Mar, 26th, 02.

H.F. 0885 – relating to taxation; casino sales tax revenues; modifying payments to counties with Tribal casinos;

Rolled ever to Omnibus tax bill; passed into law May 18th, 2002.

H.F. 2886 – relating to elections; providing additional identification procedures. This bill recognizes Leech Lake identification cards for state elections. Leech Lake identification cards must have all current information including residence.

-Governor signed; May 22nd, 2002.

H.F. 3523 – relating to education; directing the department of children, families, and learning to study the efficacy of American Indian education programs.

-Bill did not pass.

S.F. 3347 – Urging Congress to ensure replacement of Indian trust land in the event of a nuclear incident at Prairie Island.

-Bill did not pass.

S.F. 2622 – Amendment: it allows tribal governments to apply for grants for various security purposes. This bill is the anti-terrorism bill. Language allowing tribal governments eligibility and MIAC oversight is presently being discussed in a crime prevention conference committee.

-Governor signed May 18, 2002.

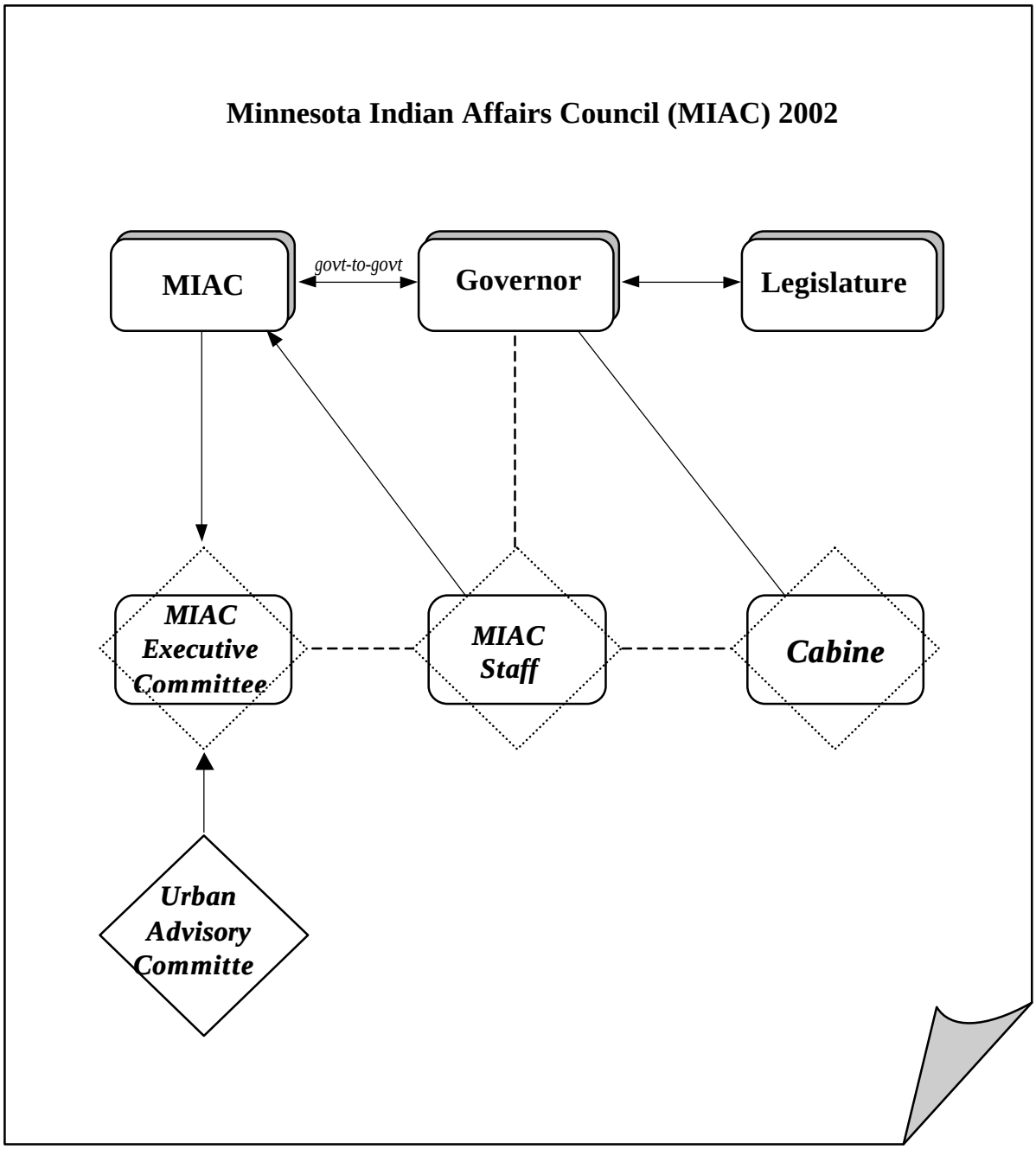
H. F. 3037 – relating to waters; repealing the prohibition on diminishing water flow from Camp Coldwater Springs; repealing laws 2001, chapter 101, section 1. This bill will repeal the protections enacted in 2001 to protect Camp Coldwater Springs.

-Governor signed May 9th, 2002.

H.F.3618 – Bonding bill.

-Governor signed May 22nd, 2002.

ORGANIZATIONAL CHART

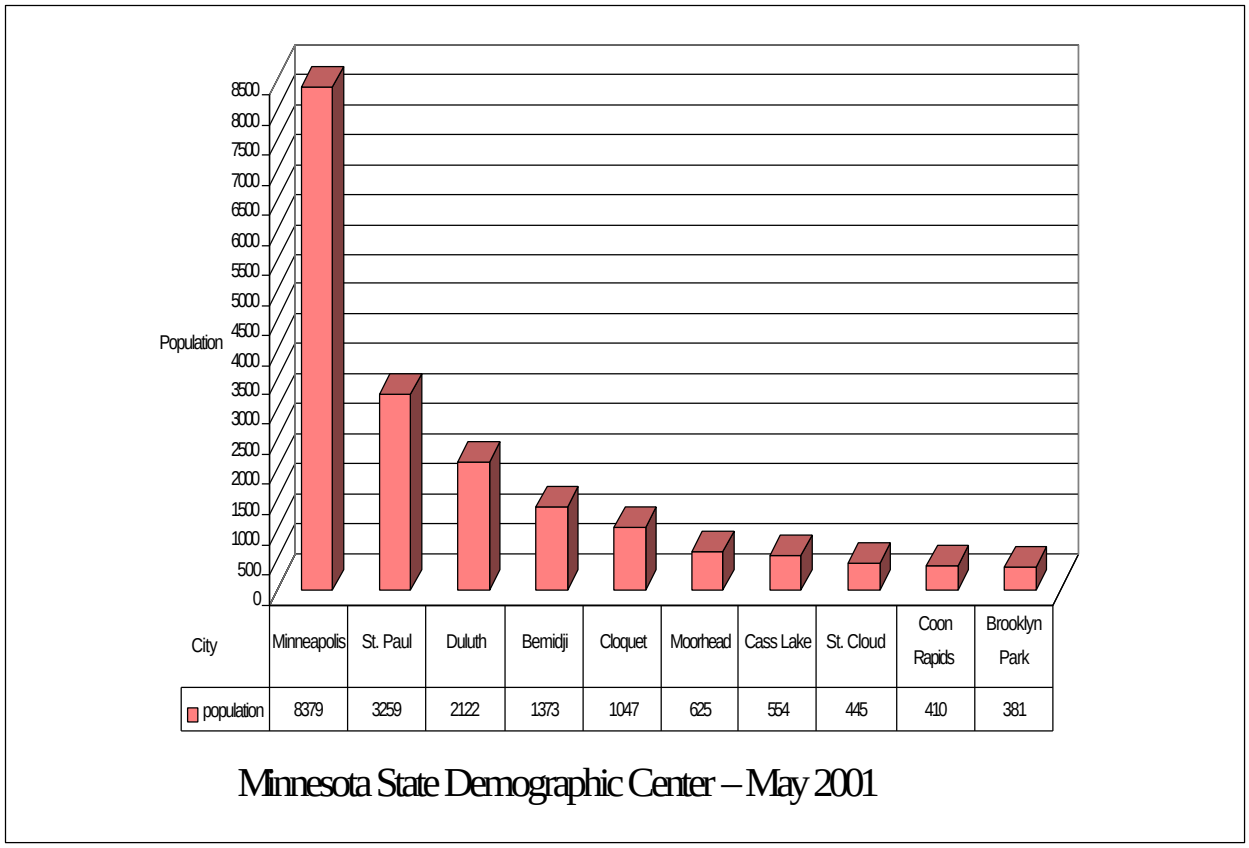


DEMOGRAPHICS

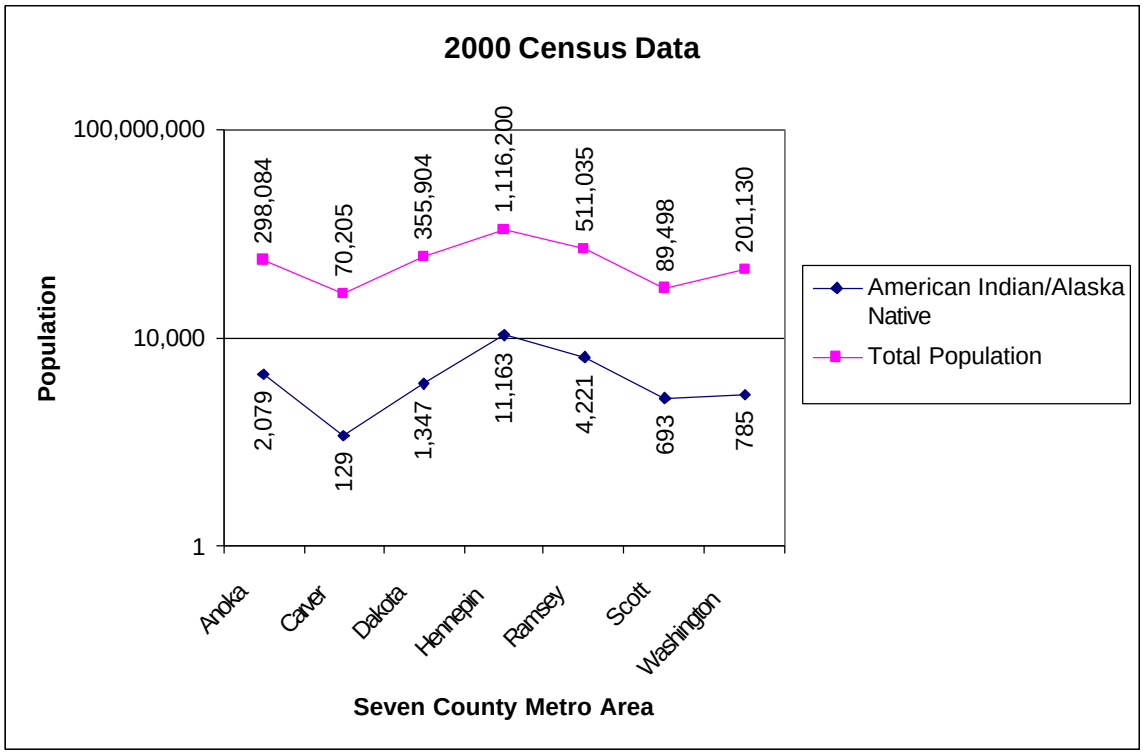
Many who identify as American Indian or Alaska Native in the census also identify themselves as part of another race. Estimates of growth for Minnesota's American Indian and Alaska Native populations vary greatly depending on which numbers are used. In 1990, there were 49,909 American Indians, Eskimos and Aleuts, most of them American Indians in Minnesota. In 2000 about 55,000 Minnesotans identified themselves as only American Indian or Alaska Native, but an additional 27,000 described themselves as American Indian or Alaska Native in combination with another race. Multiple race identifications are much more likely among people marking American Indian than among those who identified as Asian or African American.

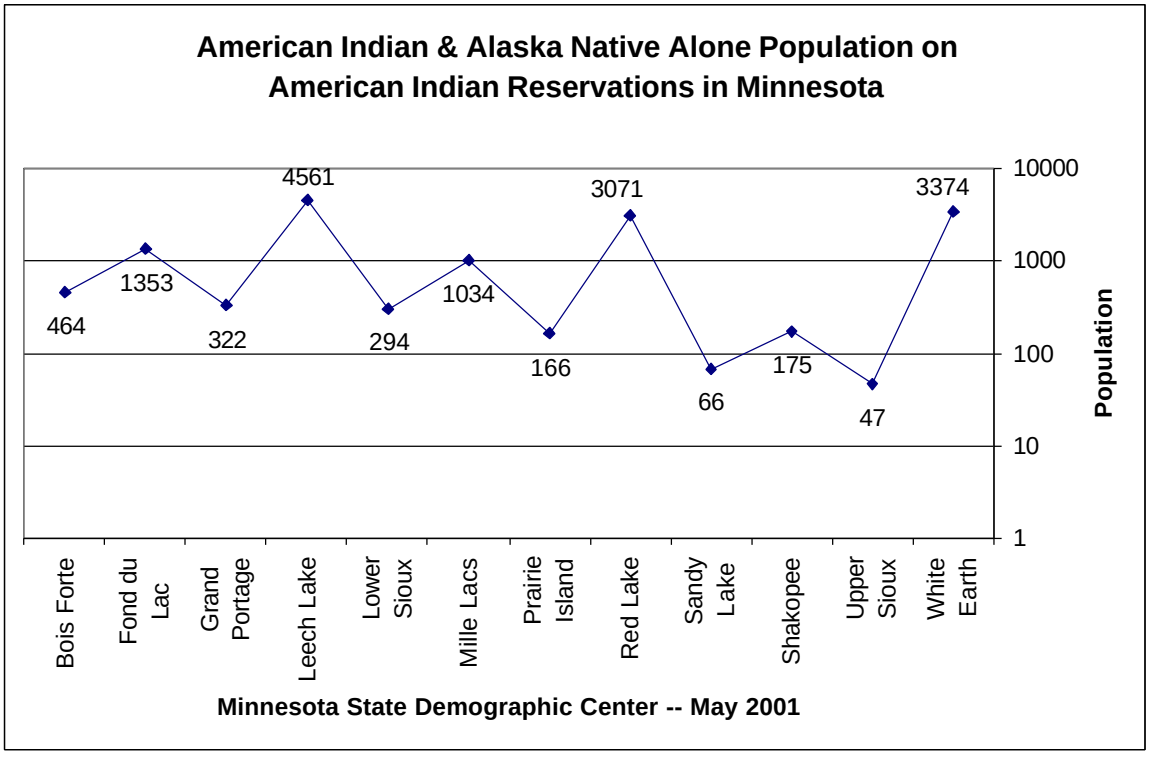
Of those who identified themselves as only American Indian and Alaska Native, nearly 64% live *outside* the Twin Cities region, many on reservations or other historically Indian areas in northern Minnesota. About 21% live in either Minneapolis or St. Paul. The remaining 15% live in suburbs in the Twin Cities area, comprising the smallest suburban presence of any non-white racial group. Other communities with large numbers of American Indian residents include Duluth, Bemidji and Cloquet, all in northern Minnesota.

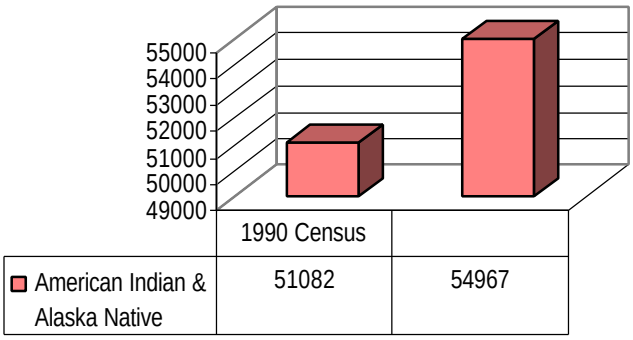
The percentage of Minnesotans who identified themselves as only American Indian or Alaska Native (1.1%), was a bit higher than the national average of 0.9%. The Alaska Native and American Indian populations are most concentrated in the west. Alaska, New Mexico and South Dakota have the highest populations.



Minnesota State Demographic Center – May 2001


2000 Census Data
100,000,000
10,000
1
Population
298,084
70,205
355,904
1,116,200
511,035
89,498
201,130
2,079
129
1,347
11,163
4,221
693
785
American Indian/Alaska Native
Total Population
Anoka
Carver
Dakota
Hennepin
Ramsey
Scott
Washington
Seven County Metro Area


American Indian & Alaska Native Alone Population on American Indian Reservations in Minnesota
10000
1000
100
10
1
Population
464
1353
322
4561
294
1034
166
3071
66
175
47
3374
Bois Forte
Fond du Lac
Grand Portage
Leech Lake
Lower Sioux
Mille Lacs
Prairie Island
Red Lake
Sandy Lake
Shakopee
Upper Sioux
White Earth
Minnesota State Demographic Center -- May 2001



Total American Indians and Alaskan Natives

URBAN INDIAN ADVISORY COUNCIL

The Minnesota Urban Indian Advisory Council (UIAC) represents the urban Indian population in the State of Minnesota. Members include two representatives from St. Paul, two from Minneapolis, one from Duluth, and a newly established position for the City of Bemidji, Minnesota.

The UIAC works with urban communities to determine what the issues are that affect their Indian populations. Public hearings are held in Bemidji, Duluth, Minneapolis and St. Paul. The information gathered at these hearing is disseminated to Tribal leaders and community activists in the urban areas and can be used as a basis for new legislation that affects the Indian population of Minnesota. The UIAC works with the Executive Committee of the Board of Directors of the MIAC. The Council's members are committed to advocating issues and bringing them to the attention of the MIAC as part of their mission as a committee.

Urban Advisory Council Members

Chairman:
David Glass
800 Arlington Ave., W
St. Paul, MN 55117
Phone: (651) 488-2327
(651) 488-4927
Fax: (651) 488-8383

Member:
Roy Roberts
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Phone: (612) 63-0783
email: RoyJames@eceNet.com

Member:
Georgia Lickness
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Lake St. Croix, MN 55043
Phone: (651) 736-6208
Fax: (651) 737-7678
email: gglickness@mmm.com

Member:
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UMD Social Work
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1207 Odean Court
Duluth, MN
Phone: (218) 726-7971
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LIAISON ROLE

Various state agencies provide services to tribes and other American Indians who do not reside within reservation boundaries and some agencies have liaisons who directly coordinate with tribal, state and federal and Indian programs to ensure that services are delivered. The liaisons coordinate with the MIAC staff to review and analyze data and trends and provide the findings to their respective agencies, tribes and other American Indian programs.

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Governors Office

Diane Drewry -- Tribal Liaison

Before taking her most recent post with the Minnesota Veterans Homes Board, Diane served Governor Ventura for 3 ½ years as his General Counsel. As General Counsel, Diane took on a host of responsibilities in providing the Governor's office with reliable legal advice. But the one duty for which the MIAC will best remember Diane is her role as tribal liaison to the state's eleven Indian tribes. She represented the Governor with intellect and understanding, all the while creating a relationship of trust and friendship between the tribes and the executive branch of state government. She never missed a meeting of the MIAC and frequently visited the various reservations throughout the state which enabled her to better advise the Governor on issues of concern of the eleven Tribal governments.

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Laura Straw -- Indian Business Loan

Katherine Pemberton -- Economic Opportunity Specialist 3

June Kendall -- Office Administrative Specialist

Sherryl Wright -- Office Administrative Specialist Senior

St. Paul Office - Legislative Program

Sharon Romano -- Staff Assistant

POLICY ISSUES

Through treaties, agreements and court decisions, American Indian tribes have retained the power to make their own laws, govern themselves and adjudicate internal law matters to enforce tribal law. These powers are the same general powers that the federal and state government use to regulate their internal affairs.

A government-to-government relationship, established by federal law, is recognized by the State when entering into agreements with tribal governments. Minnesota Statute Section 16B.06, subdivision 6 provides the following:

> **"Not withstanding any other law, the state may not require an Indian tribe or band to deny their sovereignty as a requirement or condition of a contract with the state or an agency of the state."**

American Indians are entitled to the same benefits and privileges of other citizens. Therefore, this relationship between the tribal governments and state government has created a partnership, through contracts and agreements, to develop, and deliver programs that address the needs of American Indians throughout the state.

The "trust" responsibility between the United States government and Indian tribes was created through treaties and agreements in which land was surrendered in exchange for the permanent protection of remaining lands/reservations and its tribal members.

Congress has unlimited authority to regulate Indian affairs and in so doing, has passed thousands of laws which strengthen and protect the rights of the American Indians. This trust responsibility is based on the unique political status of American Indians as provided by the Constitution of the United States under the Commerce and Treaty clauses. Only Congress has the authority to formulate the federal government's Indian policies and programs to various federal agencies. The protection of the laws and rights of American Indian people is a primary objective of the MIAC.

In its role as liaison between the State of Minnesota, its departments and agencies and the eleven tribes in the state, the MIAC coordinates and works closely with its ex-officio members, created by

Minnesota statute 3.922 consisting of the Commissioners of the Department of Children Familes & Learning (CFL), Department of Human Services (DHS), Department of Natural Resources (DNR), Department of Human Rights (DHR), Department of Trade and Economic Development (DTED), Department of Corrections (DOC), Minnesota Housing Finance Agency (MHFA), the Iron Range Resources & Rehabilitation Board (IRRRB), and the Department of Health (MDH). Listed below, by agency or department are the various statistics, policies and issues that affect American Indians in the State of Minnesota.

MINNESOTA DEPARTMENT OF HUMAN SERVICES

The Minnesota DHS works closely with the reservations and urban Indian population within the state to ensure that people's basic needs are met so they can live in dignity and achieve their highest potential. Among the various issues is chemical dependency. This is of great concern to Tribal governments in the state as many Indians are afflicted with this disease that has a direct impact on families and the social welfare of our people. Treatment programs are high on the list of concerns of Tribal governments.

Chemical Dependency

The prevention and treatment programs listed below show the demographics of those who received service during FY02 and included are numbers of American Indians who have benefited from programs.

Prevention Programs

July 1, 2001 – June 30, 2002

Number of People Served

	State Funded Urban Programs		State Funded Reservation Programs		Urban & Reservation Programs Funded by Non-Indian Funds		Total
Received Service	9,360		9,030		3,224		21,614
Gender							
Males	2309	25%	3765	42%	498	15%	6572
Females	3685	39%	2527	28%	726	23%	6938
Unknown	3366	36%	2738	30%	2000	62%	8104
Age							
Under 21	1850	20%	3346	37%	678	21%	5874
21 & over	6510	70%	3741	41%	536	17%	10787
Unknown	1000	10%	1943	22%	2010	62%	4953
Race/Ethnicity							
American Indian	5454	58%	6490	72%	3224	100%	15168
White	257	3%	540	6%	0	0%	797
Black	245	3%	3	0%	0	0%	248
Hispanic	70	1%	7	0%	0	0%	77
SE Asian	41	0%	4	0%	0	0%	45
Other/Unknown	3293	35%	1986	22%	0	0%	5279

The amount of total dollars spent on urban and reservation programs are highlighted in the following graph. The total amount of dollars spent is $2,829.371.

Funds Spent

	State Funded Urban Programs	State Funded Reservation Programs	Urban & Reservation Programs Funded by Non-Indian Funds	Total
Funds Received	$939,719	$1,238,652	$651,000	$2,829,371
Information Dissemination	9%	6%	1%	6%
Education	29%	17%	2%	17%
ATOD Free Alternatives	14%	15%	3%	12%
Problem ID & Referral	9%	11%	0%	8%
Community-Based Process	6%	3%	0%	2%
Environmental	0%	1%	0%	1%
Traditional/Cultural	16%	17%	2%	13%
Treatment Support Relapse Prevention	14%	31%	92%	41%

Minnesota Family Investment Program (MFIP)

The Minnesota Family Investment Programs (MFIP) is Minnesota's version of the federal temporary assistance for needy families program.

Historically, Indian tribes have maintained a direct relationship with the federal government due to their unique legal and political status. Until the early 1970's the federal government controlled and managed tribal resources and affairs. Tribal efforts to improve conditions for American Indian communities resulted in the passage of the Indian Self-Determination and Education Assistance Act of 1972 (P.L. 92-638). This initiative, and the changes in federal Indian policy it produced, has greatly enhanced the scope and abilities of tribal governing bodies to control their own destinies.

Current development in federal domestic fiscal policies is increasing this disparity. The denial to tribal communities of the funding they need to overcome the centuries of deprivation, poverty, and neglect, has left them the poorest of the poor. The future progress in alleviating poverty, meeting the health and educational requirements and fulfilling the economic needs of the American Indian people will depend upon state funding of these programs, especially the MFIP program.

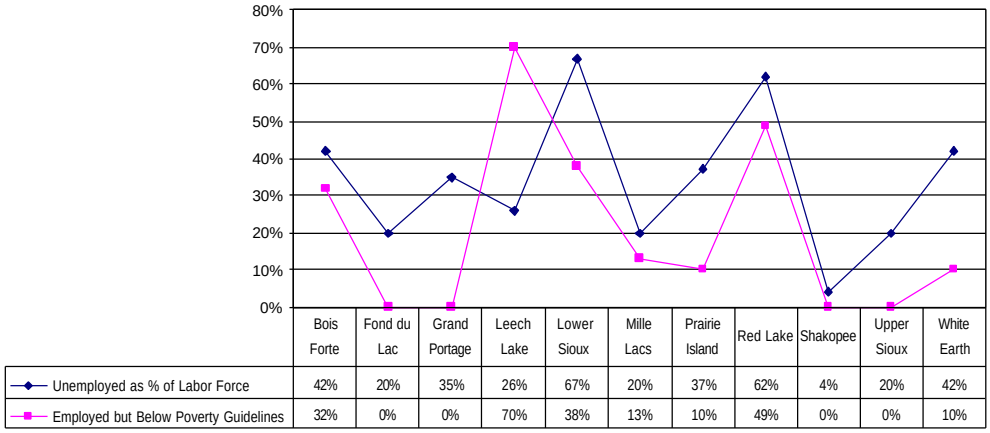
Statistically, American Indian mothers in their teens represented 49% of all American Indian pregnancies. In the Metropolitan area, less than one in five American Indian children live in two parent families. American Indian children represent 12 to 15% of all out of home placements.

Number of Low-Income Children Continues to Grow: As stated in the Urban Coalitions Welfare reform report there is indirect evidence that those who leave public assistance remain with the realm of the working poor. For example, while welfare caseloads declined between 1994 and 1998, the percentage of public school students who were poor enough to be eligible for the free and reduced-price lunch program actually increased in some neighborhoods in Minneapolis and St. Paul. This is troubling, since eligibility for free and reduced lunch is one of the best indicators of child poverty. This means that although MFIP caseloads have declined, the number of poor families and children has actually increased in some neighborhoods.

Wages: The 1998 annual average unemployment rate in Minnesota was a very low 2.5%. Significantly lower than the national average of 4.5% for the same year. With such a low level of

unemployment, one would expect a reduction in poverty indicators such as free and reduced price lunch. However, as mentioned earlier, the number of children eligible for free and reduced lunch has actually risen. In order to understand this anomaly, one must look at the types of jobs available for people leaving MFIP.

Average Unemployment Rates for Minnesota Reservations



	Bois Forte	Fond du Lac	Grand Portage	Leech Lake	Lower Sioux	Mille Lacs	Prairie Island	Red Lake	Shakopee	Upper Sioux	White Earth
Unemployed as % of Labor Force	42%	20%	35%	26%	67%	20%	37%	62%	4%	20%	42%
Employed but Below Poverty Guidelines	32%	0%	0%	70%	38%	13%	10%	49%	0%	0%	10%

Source: 1997 BIA Labor Force Reports

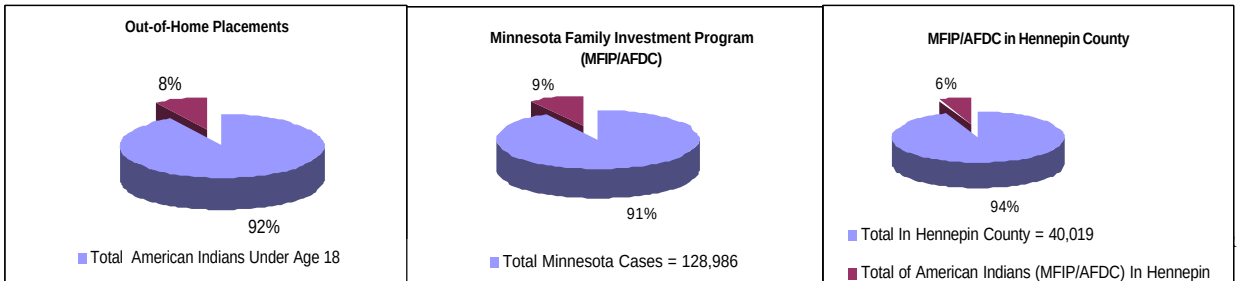
According to data from the Minnesota DHS longitudinal study, 48% of exiters who had left MFIP, and 17% of persons still receiving MFIP, worked forty or more hours a week. However, 33% of participants in the longitudinal study did not have a high school diploma and 31% had a diploma but no post-secondary education. The most available entry-level jobs therefore tend to be in the retail and service sector, where the entry requirements and wages are low. Analysis done by the Minnesota Department of Economic Security shows that there is an overrepresentation (63.4% and 57.3%) of current and former MFIP participants in the service sector, as compared to the general population.

Current MFIP participants have understandably low wages, with almost 90% earning wages below $10,000 per year. Of this group, 25.7% had no employment at all. Current MFIP recipients also tended to switch employers at least 2.5 times during the year, presumably for better wages and better working conditions. On the other hand, 16.2% of exiters made more that $15,000 per year and 12.1% made between $10,000 and$14,999. It is apparent however, that these wages are not enough to sustain families and although more people are working, they are still poor.

There has been a significant increase in the rate of American Indians in MFIP and this population needs to be assessed well before the affected families reach their five-year lifetime limits. The respective rate for American Indians is troubling, with increases of 14.69% and 1.67%.

The following gives percentages of American Indian Children who are placed in out-of-home placements, and the percentage of American Indians who are still in the Minnesota Family Investment Program.

Out-of-Home Placements



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CHILDREN FAMILIES & LEARNING

State Department of Indian Education Program

The CFL operates the Indian Education office providing funding for various programs in the area of education. These programs include "Success for the Future", Indian Teacher Training, Indian Scholarship program, and Tribal Equalization and Tribal Early Childhood Education.

Over the years, comparison of the school drop-out rates for the entire State indicate that American Indians annual drop out rate averages 11-15% compared to 3.0% for all groups. Statistics indicate that American Indians and African Americans have the highest annual drop out rate in Minnesota, although enrollment increased in all racial and ethnic groups in Metropolitan area schools. The percentage of students entering colleges and universities in 1988-90 indicated that American Indians were .8% of the total enrollment in all collegiate institutions in the state.

During FY 2002, the Indian education office closed both the Bemidji office of Indian scholarships and the Duluth satellite office which provided K-12 services. This issue is of great concern to several tribal governments and the MIAC hopes to work together with CFL to address the concerns and loss of services caused by these closures. As the high drop-out rate indicates, these services are sorely needed in outstate Minnesota where the majority of Indian people reside.

MINNESOTA DEPARTMENT OF HEALTH

Office of Minority Health

During the past biennium, under Commissioner Jan K. Malcolm, the Minnesota MDH, in cooperation with the MIAC, the eleven Tribes, staff, and urban Indian organziations, great strides were made in the area of Indian Health.

With identified disparites and the development and dissemination of "Healthy Minnesotans: Public Health Improvement Goals 2004", American Indian health issues received much attention. Among these goals are:

- To eliminate the disparities in health outcomes and the health profile of populations of color and American Indians; and
- To foster understanding and promotion of social conditions that support health.

The MIAC participated in the development of "Strategic Priorities for Work" within MDH. Partnerships were developed throughout the state which embraced the government-to-government relationship appropriate to working with the eleven sovereign tribes in Minnesota. Such partnerships assisted MDH in accomplishing the following:

- Raising the awareness of health disparities experienced by American Indians and other populations of color.

- Providing the initiative and leadership for the Minnesota Eliminating Health Disparities Initiative (EDHI) in 2001. This resulted in legislation that included formula grants to Tribes as well as competitive funding available to all.
- Instituting formula grants directly to Tribes for bioterrorism/emergency preparedness and TANF home visiting/prevention.

Also, through the EHDI legislation an Urban Indian Health Coordinator position was created and staffed. In addition, a Tribal Health Liaison position to Tribes in Minnesota was also created, however, has not yet been filled due to lack of funding.

Other items of note that have had a tremendous impact on the State of Indian Health in Minnesota include:

- The planning, coordination, and presentation of the First Annual Minnesota Indian Health Conference held at Fond du Lac's Black Bear Casino
- The development of MDH's Focus on American Indian Health, a guide to staff and program activies & resources available for consultation with Tribes.

Programs Administered:

REACH (Racial and Ethnic Approaches to Community Health) – Planning and grant application partnership process to address American Indian infant mortality in Hennepin and Ramsey Counties.

WOLF – (Work Out Low Fat) – A school-based program to improve risk factors for Type 2 Diabetes in American Indian children, originally developed in partnership with the Minneapolis American Indian Center, University of Minnesota, and the Minneapolis and St. Paul Schools. T he American Indian Diabetes Prevention Task Force (Tribal health directors, other Tribal health professionals, and other American Indian health and education professionals) revised the curricula for statewide use.

FAS Community Grants Program – White Earth, Leech Lake, and Red Lake Reservation Tribal Councils were among the grantees.

FAS Institute 2001 – Several reservation/Tribal health representatives contributed to the work of the planning committee.

MCSHN FAS Clinics – Leech Lake Reservation Health Services conducts this clinic in partnership with MDH.

2010 Minnesota Diabetes Plan Health Disparities Work Group – MIAC representatives contributed to the development of a state plan.

Infant Mortality Reduction: American Indian Infant Mortality Project – was guided by participation of 11 Indian Reservations, Great Lakes Inter Tribal Council, and the American Indian Policy Center.

Minnesota Youth Tobacco Prevention Populations-at-Risk Grants Program – 8 Indian Reservations, the Minneapolis American Indian Center, and the Indigenous Peoples Task Force developed and implemented culturally-based activities relative to appropriate tobacco use and inappropriate tobacco use prevention.

State Indian Health Grants – Provides funding and assistance to local public health/Community Health Boards to establish, operate, or subsidize clinical facilities and services for American Indians residing off reservations.

DIABETES

Diabetes has reached epidemic proportions among Minnesota's American Indians. In 1991-1993, the age-adjusted diabetes mortality rate for American Indians and Alaska Natives in the IHS was 41.4 per 100,000 (MDH and DHS, 1998-1999), 348% more than the 11.9 rate of all U.S. races. It is estimated that 33% of adults ages 25 and over are diabetic (Center for Disease Control, 1996). The State of Minnesota American Indian diabetes rate is 600% greater than the general state population. It is widely recognized that American Indians do not seek medical care or diabetic support until their conditions become acute, largely due to cultural barriers. The culturally specific services you propose are sorely needed.

OTHER ISSUES

The MIAC continues to advocate for American Indian people on issues of concern that affect our communities both urban and rural. Human rights, discrimination and on-going racism are a continuous concern. Targeted health issues including services for the elderly, homelessness, HIV/AIDS information and prevention, teenage pregnancy, smoking cessation, violence, alcohol and drug abuse.

CRIME

Latest studies conducted by various organizations and state agencies reveal that American Indians in Minnesota are 10 times more likely than white Minnesotans to be in prison. Approximately 99% of all offenses committed by Indian offenders were done while under the influence of alcohol and/or drugs.

MINNESOTA GANG STRIKE FORCE

The MIAC has participated in the Minnesota Gang Strike Force since its creation four years ago. Our involvement was to sit on an advisory committee with the Latin, Asian and Black Minnesotans Councils, Assistant Attorney General, Hilary Caligiuri and the Statewide Commander, Ron Ryan of the Minnesota Gang Strike Force.

Commander Ron Ryan worked with several of Minnesota's Indian Tribal Police Departments in joint training in gang awareness. And to update them on what Minnesota was doing to curb gang activity.

RACIAL PROFILING

Racial profiling is one of the most pressing civil rights issues of our time. It extends beyond direct victims to negatively affect all persons of color of all generations and income levels. It undermines the legitimacy of the criminal justice system, and hinders effective policing in the communities that need it the most.

A Resource Guide on Racial Profiling Data Collection Systems, published by the U.S. Department of Justice, defines racial profiling as:

"Any police-initiated action that relies on the race, ethnicity of national origin rather than the behavior of an individual or

information that leads the police to a particular individual who has been identified as being, or having been, engaged in criminal activity."

Racial profiling has been monitored in a number of jurisdictions, and in nearly all of these jurisdictions it was found to be a significant problem. For example, a 1996 study in Maryland found that while African Americans accounted for only 16.9% of the driver's on I-95, they constituted 72.9% of the drivers stopped and searched by the Maryland State police.

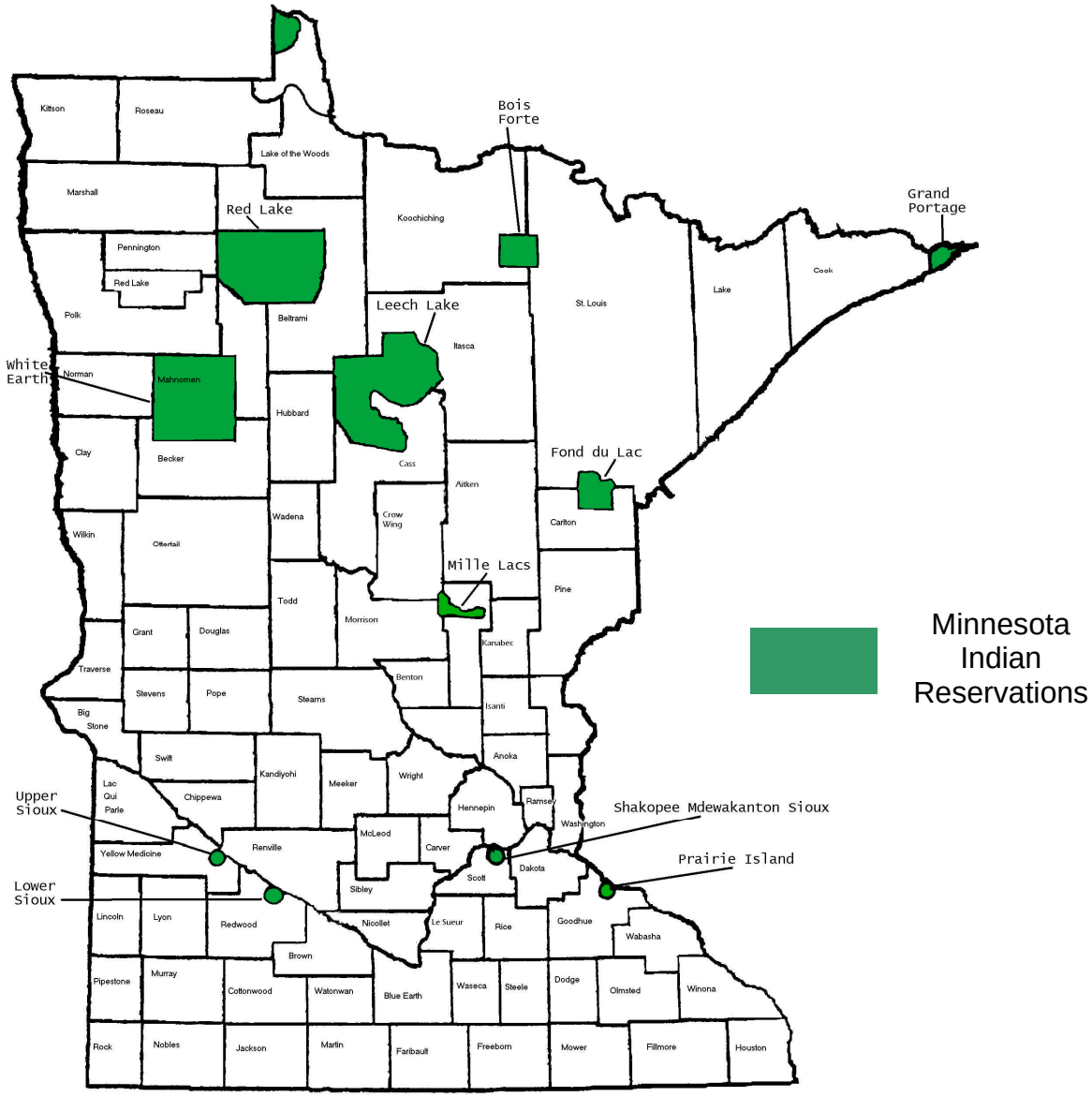
So far in Minnesota, only the Minneapolis and Saint Paul police departments have collected race data on traffic stops. The two cities' data-collection programs differ from each other, and both lack some of the components necessary for comprehensive analysis of the extent to which racial profiling is practiced. Until such data is collected throughout the state, we will not know the extent to which racial profiling is occurring in Minnesota. We do know, however, that people of color in Minnesota have experienced racial profiling, and that the perception in communities of color is that profiling is common.

A 1999 Gallop poll found that nationally, 42% of African Americans believe they have been stopped by police because of their race, 77% of African Americans believe racial profiling is widespread, and 87% disapprove of the practice. The testimony presented by citizens of Minnesota at legislative hearings and at public meetings, indicates that the experiences and perceptions of people of color in Minnesota are similar.

The police, communities of color, and the entire community have an interest in effective policing. In order to further this goal, we must first gather the information necessary to move us beyond the stalemate of police denial of racial profiling, and community insistence that it is happening. After the information is gathered and analyzed, we will have a solid basis for designing measures that will allow police and communities of color to better work together to fight crime.

Source: "Institute on Race and Poverty"

MAP OF MINNESOTA INDIAN RESERVATIONS (APPROXIMATIONS)



DESCRIPTION OF MINNESOTA INDIAN RESERVATIONS

The Dakota Communities

The Dakota Communities are comprised of four reservations in Minnesota. The Shakopee Mdewakanton, Prairie Island, Upper Sioux, and Lower Sioux. These are federally recognized Minnesota Reservations and are populated by the few Dakota who did not leave.

By the 1800's, a few Mdewakanton Dakota Indians had returned to their homelands. A special census in 1883 counted 237 scattered throughout southern Minnesota at 14 different locations. By mid-1880 the federal government was being urged to do something to provide homes for these people, primarily Mdewakanton Dakota. A federal law was passed in 1885 to provide some money for the purchase of land for those who had been in the state by October 1, 1883. More money was appropriated in 1885. In 1888 the date of residency in Minnesota was raised to May 20, 1885 (25 Stat 228), and additional money was made available in 1889 and 1890. Most of the curent trust land was added under the IRA in the 1930's.

Lower Sioux

The Lower Sioux Indian Community is located on the south side of the Minnesota River at the site of the U.S. Indian Agency and the Bishop Whipple Mission, a part of the original reservation established in the 1851 Treaty. It is in Redwood County, two miles south of Morton and six miles east of Redwood Falls. Across the river is the Birch Coulee battle site of the 1862 Sioux War. The Community, for the purpose of determining membership and qualifying for some services, has a service area 10 miles beyond the actual trust lands.

In the 1883 census, six families were reported at Redwood. Good Thunder came from Flandreau, South Dakota and in 1884 purchased 80 acres at the Lower Sioux Community. Charles Lawrence bought the adjacent 80 acres. Within a few years a little colony joining them included a few other Dakotas who had been able to survive in Minnesota, protected by Alexander Fairbault.[1] According to a 1936 census report, 20 Mdewakanton families, 18 families from Flandreau, South Dakota, and one Sisseton, South Dakota, family comprise the Lower Sioux Community.

The land is primarily rich agricultural land in the river flood plain and the wooded bluffs behind. The community, built on the hillside and uplands, centers around the tribal offices, a new community center, Tipi Maka Duta (the Lower Sioux Trading Post), and St. Cornelia Episcopal Church built in 1889 and now on the National Register of Historic sites. St. Cornelia's is built on land donated by Good Thunder. It has been the recent site of reburials of Kaota people whose remains had been held by museums and universities. The Minnesota Historical society has an interpretive center in the area explaining the 1862 battles.

The Lower Sioux Community Council is elected and operates under an Indian Reorganizaton Act (IRA) constitution. The State exercises criminal and some civil jurisdiction on the reservation. A tribal court was organized in 1993. It deals with civil cases including contract law and workers' compensation cases as well as tribal governance matters. Social programs and community health services are administered by the tribe and funded by various governmental programs and the tribe. Tribally funded

[1] (Meyer, P. 274). Under the land purchase laws of the 1880's –1890's and again under the IRA, land was acquired for the community.

health insurance policies cover the medical costs for resident members as well as Tribal and casino employees.

Redwood Falls is the public school for the community Indian children. In response to parental concern about their children's education, an Indian-focused charter school was formed at Morton. The tribe provides financial assistance to any member wishing to get further education beyond high school.

Until the mid-1980's, the Tribe's funds were very limited. Employment opportunities were vitually non-existant on the reservation. Government programs, operated by the tribe, were the major employment. Since 1972 the tribe has been manufacturing hand thrown, hand painted, traditional Dakota pottery. It is sold at Tipi Maka Duta, the Lower Sioux Trading Post along with other gift items.

A major bingo facility, Jackpot Junction opened in 1984. Building on this, it was expanded to a casino on the signing of the state compact in 1989. A management firm and later a consulting firm were used to start operations. Now the tribe operates the casino.

Prairie Island

The Prairie Island Indian Community is located on Prairie Island, which is formed where the Vermillion River joins the Mississippi. It is about 14 miles from Red Wing with a Welch, Minnesota mailing address. The land is low-lying with about half of the community property in the flood plain. The island is shared with Northern States Power Company's nuclear electric generating plant and the US Army Corps of Engineers' US Lock and Dam No. 3.

Long before the Europeans came, the island was important to the Dakota people. In 1695 Pierre Charles LeSueur established a fort on Prairie Island. After the disruption of 1862, several Mdewakanton Dakota families gradually returned. In the 1883 census, only two families were reported at Red Wing. Under the land purchase laws of the 1880's-1890's, and again under the IRA, land was acquired for the community.

The Prairie Island Community Council is a member-elected government. The State has responsibility for criminal and some civil jurisdiction. The Prairie Island Mdewakanton Dakota Tribal Court was established in 1994. It rules on tribal law and sovereignty issues exercising broad civil jurisdiction, including child welfare cases and wage garnishment. The City of Red Wing, without tribal consent, incorporated Prairie Island into the city in order to collect taxes from the NSP facility.

Treasure Island Resort and Casino is the tribal casino. It was expanded to 153,000 sq. ft in 1993 and a 250-room hotel and convention center, costing $20 million, opened in 1996. The casino is designed as a tropical paradise with warm humid breezes and a forty-foot wall waterfall. It provides 60 blackjack tables, 1,500 slots, a variety of eating options, live entertainment, a RV park, a 137 slip marina to accommodate visitors arriving by the Mississippi River, and sightseeing and dinner cruises on the river. Treasure Island had begun as a bingo operation in 1984. The original investor and management company were bought out and a subsequent management firm services were terminated. Since 1990 the tribe has managed the casino itself.

Casino profits have been reinvested in the casino for the expansion as well as the construction of roads and water and sewer systems. A community center, built for $6.5 million, provides a meeting area, kindergarten, licensed day care, and facilities for tribal government. Students attend school in the Red Wing School District. The tribe's educational programs include financial support for advanced education. Programming and congregate dining for the elders is provided at the casino. A health clinic, funded by the tribe and IHS brings Mayo Clinic family physicians to the reservation two and half days a week. Tribally paid health insurance provides coverage to tribal members as well as casino employees. The nearest hospital is at Red Wing.

Living next to an atomic energy power plant that has needed to find storage for radioactive wastes has been very difficult for the Indian community. The tribe needs more land, as members are anxious to

return to their homeland to find employment. The presence of the nuclear fuel has made many members fearful and families with young children are not willing to move to the reservation because of possible health effects from radiation exposure.

Shakopee Mdewakanton

The Shakopee-Prior Lake area was historically home to Mdewakanton Dakota. After the removal in 1862-63, families gradually returned in the 1880's. In the 1883 census, there were 11 families, 47 individuals at Shakopee. Under the land purchase laws of the 1880's-1890's, land was acquired for community members. In 1936 when the Dakota communities were forming an IRA approved government, the Shakopee Mdewakanton group was considered too small to form a separate government and was included in the Lower Sioux Community. No land was added at that time. In 1960, the BIA counted ten Indians. In 1967, there were 4-5 families.

Although the 258 acres held in trust by the BIA consisted of undeveloped, rolling farming lands, the location was close to the Twin Cities. Being only 25 miles from downtown Minneapolis, the area provided desirable home sites for people. In 1969 the community organized as a separate Tribal government with its nine members voting on a new constitution.

Shakopee Mdewakanton Sioux Community is in Scott County, just south of Shakopee on Highway 83. In 1972, the city of Prior Lake incorporated the reservation into that city. When the city attempted to deny services and voting rights to the Indian residents (*because they did not pay property taxes*) the court ruled that this was illegal. This ruling was upheld by the US Supreme Court.

The governing structure of the community is unique. All members over 18 constitute the tribal council. They in turn elect a business council to run the reservations affairs. By the 1970's, tribal leaders had begun to take advantage of the community's power to govern their own lands and began to establish business enterprises. Early business endeavors included providing tree burning services, (*burning was not allowed in Minneapolis*), non-taxable tobacco sales, and bingo. Little Six Bingo Palace, offering big bucks bingo, was opened in October 1982. Gaming became an unbelievably successful business. Following federal legislation clarifying legal issues and the state-tribal compacts that followed, the complex known as Mystic Lake was developed. It is the second most financially successful Indian casino operation in the United States with over 18,000 customers every day.[2] The casino originally involved outside investment and management, but since 1985 it has been tribally owned and operated. The tribe has delegated all financial operations to Little Six, Inc. which operates the casino and manages other investments for the tribe.

Upper Sioux

This land we call Pejuhutazizi Kapi (*the place where they dig for yellow medicine*) has been the homeland of the Dakota Oyate (Nation), for thousands of years. They have always occupied this area bordering the Minnesota River Valley, with the exception of a short period of time in the late 1800's following the U.S./Dakota Conflict of 1862. At that time, the Dakota were exterminated, forcibly removed to reservations located elsewhere, or voluntarily fled to avoid harm.

Many Dakota died during those difficult years. Some of those who survived the forced removal defied the state and federal governments by not remaining on the assigned reservations, located outside of Minnesota, but rather chose to return to their ancient homelands in the Minnesota River Valley.

In 1938, 746 acres of original Dakota lands in Minnesota were returned to the Dakota people, and the Upper Sioux Indian Community came into existence. Provisions for governing the Upper Sioux

[2] "The Payline A slot newsletter for the Mystic Lake Patron", Mystic Lake Casino Public Affairs Office, 2400 Mystic Lake Blvd., Prior Lake, MN 55372, Winter 1994-95).

Community were adopted and a Board of Trustees was elected to carry out the responsibilities identified in these provisions. In 1995, the provisions were modified and the governing document is now called the Constitution of the Upper Sioux Community.

Since its formal designation as an Indian community, Upper Sioux has struggled with poverty, substandard housing, inadequate health care, and the subtleties of racism. Tribal leaders continually strived to improve the standard of living and the quality of life on the reservation. The population is small, and Upper Sioux's share of program monies from the federal government is minimal, yet elected tribal leaders still managed to provide "bare-bones" programs in housing, health care, and education. Through the 1970's and 80's, conditions improved very little, despite many vocal supporters, both Indian and non-Indian, and the struggle for survival continued on the small tract of land along the Minnesota River.

By the late 1980's, the legal standing of Tribes as sovereign nations had been acknowledged in the highest federal courts. In 1990, following these court decisions, the Upper Sioux Community did, as many other tribes had done, exercised their rights as a sovereign nation to capitalize on the financial opportunity provided by legalized gaming in Minnesota and opened the Firefly Creek Casino.

In the years since, the business has helped to revitalize and energize the Upper Sioux Community, allowing them an opportunity to obtain economic independence. They are finding ways to preserve their dignity, culture and traditions, free from the burden of meeting basic survival needs.

The Reservation Tribal headquarters is located five miles south of Granite Falls, Minnesota, on the Minnesota River in Yellow Medicine County. The Upper Sioux Community came into being about the same time as the other Minnesota Sioux communities. Land purchases amounting to 746 acres were made in 1938, but the Upper Sioux Community did not complete organization under the IRA.

The BIA set up a Board of Trustees to advise the agency superintendent on the use of rehabilitation funds. This group operates under a document entitled The Constitution of the Upper Sioux Community. The governing body is known as the Upper Sioux Community Board of Trustees, consisting of five members elected to four year staggered terms who represent the community when negotiating with federal, state, and local governments.

Minnesota Chippewa Tribe (MCT)

The MCT Constitution governs over 35,000 enrolled members of the Bois Forte, Fond du Lac, Grand Portage, Leech Lake, White Earth reservations, and Mille Lacs Band. The governing body of the MCT is the Tribal Executive Committee (TEC), which is composed of the chairman and secretary-treasurer of each reservation, 12 members in all. From among this group, they elect a president, vice-president, secretary, and treasurer.

Elections

The MCT Constitution and By-laws govern elections for the six reservations. The reservation governing body consists of a chairman, a secretary-treasurer elected at-large, and one to three committeemen elected by district. Terms are four years on a staggered basis with elections every two years. To be elected, an individual must be enrolled in the MCT, reside on the reservation of enrollment, and be 21 years or older. Voting is open to member's 18 years and older. Absentee voting is provided for in the constitution with voters designating the district where they last resided for 30 days or more. It requires a majority, greater than 50%, of the votes to win. This interpretation was accepted by the TEC in 1996 and resulted, for the first time in primary elections, to narrow the field to two candidates. Previously the TEC had ruled that "majority" had meant the one candidate receiving the most votes cast, even though less than 50%.

The Constitution can be revoked by an Act of Congress or amended or revoked by a majority vote of all MCT members at an election called for that purpose by the Secretary of the Interior, provided that at least 30% of those entitled to vote participate. Amendments take effect only if approved by the Secretary of the Interior. A request by two-thirds of the TEC can force the Secretary of the Interior to call an election.

Membership

When the tribal government began in 1936, an Enrollment Committee was established which worked through the Reservation Councils. The Committee prepared the list of who qualified for the annuity roll. This roll, as of April 14, 1941, is the basis of current MCT membership. Those who qualified were on the 1941 membership roll, children of those members born between 1941 and 1961 who applied for membership by 1962, and children of members born after 1961 with at least one-fourth MCT Indian Blood (which can be mixed ancestry from the different MCT reservations) who apply within a year after birth. They cannot be enrolled in another tribe and American citizenship is required. While the Tribe defines membership, the governing body of each reservation determines its own enrollment, subject to the Tribe's ratification. Denial of membership can be appealed to the Secretary of the Interior. Adoptees that have been placed outside of the Indian community can be enrolled without revealing family names.

Bois Forte (Nett Lake)

Bois Forte was the French name for the Indians living in the most impenetrable, fortress-like forest in the Rainy River watershed of Northern Minnesota. They were a part of the northern group of Ojibwe who moved inland from the Grand Portage area in the early fur-trading era going first to the mouth of the Vermilion River, then Rainy Lake, and Lake of the Woods. In 1824, there was mention of a permanent village on Lake Vermilion. Long after United States independence, the Bois Forte continued trading with the British and did not participate in the early United States treaties. In the 1854 Treaty, their first, an undefined reservation was set aside near Lake Vermilion while a large portion of north central Minnesota remained in Indian hands. It was the 1866 Treaty, designed to take control of the northern mineral lands, which took the remaining lands and established the reservation at Nett Lake and a township at Deer Creek. By Executive Order in 1881, a special reserve was created at Lake Vermilion. The reservation's lands were allotted following the 1889 Nelson Act, however the government did not make a serious attempt to get the Bois Forte Indians to move to White Earth. Many Bois Forte members share extended families with the Ojibwe in Canada.

The reservation is heavily forested with beautiful stands of pine, aspen, cedar, birch, ash, and other species of timber. It provides excellent wild life habitat. Four independent Indian logging firms do business on or near the reservation. Based on forest types, it is estimated that over 50% of the land is wetland. Nett Lake, covering 7,300 acres, is considered the largest wild rice producing lake in the United States. It is the reservation's most important lake. In 1987, a dam was built to help control the water level.

The Bois Forte Reservation includes three divisions: Nett Lake, (comprised of 103,000 acres in St. Louis and Koochiching Counties, is home to the majority of the population of Nett Lake), Indian Point, and Sugar Bush. An area of some 1,000 acres on Lake Vermilion, located in St. Louis County, and 23,000 acres in Deer Creek Township, located in Itasca County, has no population. Nett Lake is 40 miles south of Canada.

The community of Nett Lake contains the tribal headquarters, a convenience store and gas station, and health clinic. The Nett Lake Education Center combines the elementary school, Head Start, day care, social services, and a youth and community center. The elementary school is a state public school, authorized by special legislation. The high school students go to school in Orr, Minnesota.

The Indian community at Lake Vermilion has a family resource center, Ze Zha Wus So, providing day care and Head Start services, family education programs and community services as well as an out-patient health clinic. Fortune Bay Casino & Resort is a high stakes casino that opened in 1986. The 118 room Fortune Bay Resort Hotel and Conference Center opened in 1996 and is home to Minnesota's largest working fireplace. To accommodate the facilities, major work has been done to develop roads and add a new water and waste system.

The elected Bois Forte Tribal Council governs the Bois Forte Band, a member of the MCT. The band's legal jurisdiction is unique. The tribe or the federal government enforces criminal laws with civil jurisdiction shared by the Tribe and the State. In 1995, the tribal council under the Self-Governance law, contracted with the BIA to administer their own programs. As a participant in the 1854 Treaty ceding the Arrowhead region of Minnesota, the tribe retains hunting and fishing rights throughout that area. The 1854 Authority handles enforcment of tribal codes for the area jointly with the Grand Portage Reservation. The reservation also provides some services for the International Falls Indian community, which include minimal health care with a doctor, and a commodity food distribution program.

Fond du Lac

Fond du Lac was named by the French for the Indian village at the end of Lake Superior, at the mouth of the St. Louis River. In 1665, a Dakota village was located there according to Jesuit Missionaries. By 1767, Ojibwe were mentioned in the area with a permanent village reported in 1783 by Jean Baptiste Cadotte. Within ten years it had become the North West Fur Company district headquarters. When Astor and the American Fur Company took over the British firm in 1816, they built a new fort and trading post about 20 miles up the St. Louis River, where the current Fond du Lac Reservation is located. In 1820, 375 people lived at the trading post, but by 1832 the trading center had moved inland to Sandy Lake, and Fond du Lac's population declined dramatically to 193 people[3].

Fond du Lac people were of the Southwestern Ojibwe that had lived on the southern shore of Lake Superior around LaPoint, Wisconsin, before moving into Minnesota. A part of the Lake Superior Band of Chippewa, the Fond du Lac Band was involved in all of the early treaties affecting lands in Minnesota and Wisconsin. At the time of the 1854 Treaty, its land was ceded and the reservation established. A population of 700 was reported to be living on the newly established reservation.

The reservation is located in St. Louis and Carlton counties, adjacent to the City of Cloquet on the east and Duluth 20 miles to the northeast.

The Fond du Lac Reservation Business Committee is the tribal governing body. The chairman and secretary-treasurer are elected at-large. The three districts are Cloquet, where tribal headquarters are located, and the communities of Brookston and Sawyer. The reservation is a part of the MCT. Criminal and some civil jurisdiction on the reservation were transferred to Minnesota under Federal Law PL-280. In 1997, the tribe negotiated with the BIA to assume program operations under the Self-Governance Law. Conservation codes are enforced for the reservation and the 1854 Treaty area by game wardens and courts. The tribe is a participant in the 1837 Treaty case. The tribe has its own automobile license plates. Fond du Lac negotiated the first general revenue bond issued to an Indian tribe for funds to expand their clinic. The tribe charges a license tax on major businesses located on the reservation.

A new building to house tribal government, community sports, and social activities was opened in 1997. There are also community centers at Sawyer and Brookston. Natural resource management has a building located in Cloquet. The human services and health clinic programs operate from the Min-No-Aya-Win Health Clinic. The health program is tribally run and is contracted from IHS. The tribe also operates a similar Indian health program in Duluth, through the Center for American Indian Resources (CAIR). The tribally run Fond du Lac Group Home for juveniles is located between Duluth and Cloquet.

[3] Hickerson, Chippewa of Lake Superior, pp 77-78.

Sawyer is the location of Mash-Ka-Wisen, the nation's first Indian-owned and operated residential, primary treatment facility for chemical dependency.

The reservation is divided among four Minnesota public schools districts. The tribe has a Head Start program and operates the Ojibwe School, K-12. Transportation to the school is provided for Duluth students. The unique Fond du Lac Tribal/Community College with a 150 bed dormitory is both a tribal college and a state community college.

The Fond du Lac Tribe operates two casinos. The tribe and the City of Duluth cooperated in building and sharing in the profits of the Fond du Luth Casino. It is Minnesota's only casino that was built on land originally not part of a reservation. A deserted block in downtown Duluth was purchased by the tribe and taken into trust by the BIA. After the passage of the National Indian Gaming Act, the state was given a voice in this type of transaction. Fond du Luth Casino is on East Superior St., in Duluth. The Black Bear Casino, located at the junction of Highway 210 and Interstate Highway 35, offers food service, entertainment, and a gift shop. The adjacent 158 room Black Bear Hotel opened September 1, 1995 and has a swimming pool, childcare center, and meeting rooms that connects to the casino by a skywalk. The Black Bear Casino and Hotel make the tribe the second largest employer in Carlton County.

Grand Portage

The Grand Portage Reservation, located in Cook County at the extreme northeastern tip of Minnesota, encompasses a historic fur trade site within the spectacular northwoods Lake Superior shoreline. The reservation extends about 18 miles along the lakeshore and approximately nine miles inland. The community of Grand Portage is the location of the tribal buildings and homesites. Grand Marais is the closest city, 36 miles to the southwest. Duluth is 150 miles to the south and Thunder Bay, Canada is 37 miles to the north.

The name Grand Portage comes from the nine-mile portage necessary to bypass the cascading waters of the Pigeon River to get inland to the lakes and rivers leading to the fur-rich areas of northern Minnesota. By the 1730's the Ojibwe, in their migration along the northern shore of Lake Superior, arrived at Grand Portage. The French record of fur trade over the portage began in 1731. The British took over in the 1760's and the North West Company built the post at Grand Portage around 1785[4]. Some 150 Ojibwe families lived in the vicinity of the post. In 1803, the British company moved to Canada at Fort William, which is now known as Thunder Bay. The Indian community that provided services and trade at the Grand Portage continued working with the British in Canada; as a result the Indian population in America declined. In 1824, Schoolcraft reported 60 people in the Grand Portage community. For a while, in the 1830's, the American Fur Co. used Indian people to operate a commercial fishing station at Grand Portage. It did not last long. To this day the tribe maintains close ties with the Ojibwe in Canada and the border often splits extended families.

The Grand Portage Indians were members of the Lake Superior Band of Ojibwe, but were not participants in the early Ojibwe treaties with the United States. They protested being ignored in the 1842 Treaty when Isle Royale was ceded and they then received annuity rights. In the 1854 Treaty, they ceded their lands in the Arrowhead region of Minnesota and accepted the Grand Portage reservation. During the allotment era, no serious attempt was made to relocate the people to White Earth.

The Grand Portage Tribal Council is the governing body of the reservation and is a member of the MCT. In 1996, it entered the Self-Governance Program by contracting to administer its own programs from the BIA. The state is responsible for criminal and some civil jurisdiction. The tribe began a court in September 1997. It collects its own sales tax. The tribe, working with the local residents, the

[4] Alan R. Woodworth, Research Fellow, St. Paul, Minnesota Historical Society, "An Historical Study of the Grand Portage, Grand Portage National Monument, Minnesota", 1993 (draft), pp. 117-118.

State, and the Environmental Protection Agency (EPA), established a Land Use Ordinance for the reservation that was approved in 1996. It designates areas according to tribal priorities for wildlife habitat, timber production, and protecting the resources for recreational purposes. A primitive area had been set aside in an eastern portion of the reservation in 1956. The hunting and fishing rights of tribal members in the ceded lands of the 1854 Treaty are regulated under the tribal code and enforced by the 1854 Authority.

The community at Grand Portage contains the tribal headquarters, a community store, and the Trading Post, as well as other tribal businesses. The Gitchi Onigaming Community Center was built in 1994 that offers a wide variety of recreational activities, a swimming pool, a senior center, a teen center, a computer room, library, and powwow grounds. The center also provides services for day care and Head Start programs, which have new facilities that were built in 1994. A log school building has provided the elementary school in Grand Portage since the 1930's. In 1997, a new school for student's K-6th grade was opened and linked to the community center. As a state public school operating under special legislation, the new facility will be leased to the Cook County Public School system. The old school building, the only log school in Minnesota, will become a museum for the tribe. The students go to junior and senior high school in Grand Marais. The community has its own health clinic, ambulance service, and volunteer fire department.

The Grand Portage Development Corporation was established in 1971 to spur economic development on the reservation. Their most successful operation, is the Grand Portage Lodge and Casino, which opened in 1975. It has provided an ever-increasing source of employment for band members and income for the Tribe. The hotel is located on the shores of Lake Superior, Just off Highway 61. It has 100 rooms and conference facilities, an indoor pool, and gift shop. The reservation has over 100 miles of hiking trails, a marina, and campgrounds. The casino opened in 1990 and, expanded in mid-1990. Eighty percent of their customers come from Canada and it is the largest employer in Cook County. The tribal sawmill and chipping mill employ about 20. Some of the Indian people work as loggers, and commercial fishermen. Off-reservation employment can be found at Grand Marais and Thunder Bay, Canada.

The Grand Portage area has several other attractions for tourists. The Grand Portage National Monument, built on reservation land, features the reconstructed fur trade fort of the 1700's. The original portage trail to historic Fort Charlotte on the Pigeon River is operated by the National Monument. From the bay, ferries take visitors out to Isle Royale National Park, 19 miles out in Lake Superior.

Grand Portage State Park located on the Pigeon River has made the great falls accessible to the public. It opened in 1995. In a unique relationship, the Nature Conservancy and private donations purchased 2.5 miles of land along the river. The state acquired the land, donated it to the tribe, then the tribe leased it back to the state to operate as a state park. The agreement provides that staff positions should be held by those with significant knowledge of Indian culture, preferably knowledge of the Grand Portage Band. (Laws of MN for 1989, Chap 359, Subd 27a, Sect 7-11).[5]

The 300 year old Manito Geezhigaynce, a twisted cedar known as the little spirit cedar tree, is located on the north side of Hat Point on a stone ledge. It has great significance to many generations of Grand Portage Indians and boatmen on Lake Superior. The land with the tree was offered for sale in 1987. A group was formed and $100,000 was raised to buy the land for the tribe in 1990. To protect their heritage, the Grand Portage Indian community requires that to visit the tree, there must be a tribal guide. The Grand Portage Tribe is a sponsor of the John Beargrease Sled Dog race from Duluth to Grand Portage and back. It is in honor of John Beargrease, a Grand Portage member, who from 1887 to 1899 delivered the mail from Two Harbors to Grand Marais. Depending on the weather conditions, he would hike, come by boat and in the winter by dog sled.

[5] Grand Portage Sate Park, Management Plan, August 12, 1992, Grand Portage State Park Advisory Committee.

Leech Lake

In the 1600's, the Dakota Indians had communities at Leech lake. The Ojibwe bands moved into the region during the mid-to-late 1700's. The first Ojibwe settlements were on small islands on Leech Lake[6]. This area, in north central Minnesota, was the home of the Mississippi and Pillager Ojibwe bands. In 1847, treaties took sections on the southwest corner of their lands with the Mississippi and Pillager bands from the Menominee and Winnebago tribes that were to be moved from Wisconsin. The remaining land was ceded by treaty in 1855 that established the reservation. The 1864 Treaty expanded and consolidated the reservation in the area of three lakes, Leech Lake, Cass Lake, and Lake Winnebigoshish. The intent at that time was to have the other Minnesota Ojibwe bands move to the Leech Lake area. By 1867, the plan was changed and the White Earth Reservation was created to be the home of all Ojibwe people. The area of the Leech Lake Reservation was reduced by executive orders; however, in 1873 and 1874 additional land was added back.

Located along US Highway 2, the reservation is southeast of Bemidji with Walker just outside on the southwest corner. Cass Lake is the largest community within the reservation. Eleven communities make up the reservation. In addition to Cass Lake, there are Ball Club, Bena, Inger, Onigum, Mission, Pennington, Smokey Point, Sugar Point, Oak Point, and Squaw Lake. Oak Point had previously been known as Squaw Point but was renamed in 1995. The reservation is split among four counties, Cass, Itasca, Beltrami, and Hubbard and is divided among seven Minnesota school districts.

Drained by the headwaters of the Mississippi River, the area is generally swampy. With some 40 wild rice producing lakes, it has the largest natural wild rice production of any of the State's reservations. The land is mostly second growth. The Leech Lake Tribe holds the smallest percentage of its reservation of any of the state's tribes. Well over half of the original land is owned by county, state, and federal governments. Of the 677,099 original acres, 212,000 acres are surface area of the three big lakes. Of the remaining 465,000 acres, other levels of government own 332,804 acres. The Chippewa National Forest has the largest portion of the land. Seventy-five percent of the National Forest is within the reservation boundaries.

The Leech Lake Tribal Council is the governing body with offices in Cass Lake. They are members of the MCT. In the early 1990's, the tribe contracted with the BIA to operate programs under self-governance procedures as one of the second groups of ten tribes allowed into the pilot project. The state is responsible for criminal and some civil jurisdiction over Indians on the reservation. The Leech Lake Tribe issues its own automobile license plates.

The smaller communities have facilities for community events and services such as medical clinics and programs for elders. The people have organized their own community councils to give a political voice to their concerns. Health services are provided at the IHS hospital and clinic in Cass Lake and clinics in the other communities. If more extensive care is needed, the hospitals in neighboring cities are used. The tribe operates a halfway house and an ambulance service, however, fire protection is from neighboring communities. In 1995, the tribe began a burial insurance program for all enrolled members.

Education and programs for children are provided by two tribally run childcare facilities, Head Start programs operational in seven communities and kindergarten through twelfth grade is offered through Bug-O-Nay-Ge-Shig tribal school. The tribe sponsors and provides funding for the Leech Lake Tribal College that began in 1990. The college is located in Cass Lake and offers AA degrees with credits transferable to Bemidji State University and other higher education institutions.

In the first major hunting, fishing, and wild rice rights cases in Minnesota, the tribe confirmed that it had the right to control these activities on the reservation. The state pays the tribe for its restraint in

[6] Harold Hickerson, The Chippewa and Their Neighbors, A Study in Ethnohistory., Prospect Heights, IL: Waveland Press, Inc., 1988, p. 71.

using the reservation's resources. In addition the state conservation officers are deputized by the tribe to enforce tribal natural resource codes.

The tribe operates two gaming enterprises. The Palace Bingo & Casino in Cass Lake and Northern Lights Gaming Emporium four miles south of Walker. The Palace has a restaurant and offers many events. In 1996, the Palace Hotel, with 80 rooms and indoor pool, was built adjacent to the casino The casino's have made the tribe the largest employer in Cass County.

For many years the tribe has operated the Che-wa-ka-e-gon complex comprised of a service station, the Che-We restaurant, a convenience store, and a gift shop. A nearby retail center, built by the tribe, houses Indian-run businesses and provides incubator services until they are successful enough to go out on their own. Included in this service is a pizza parlor, Dairy Queen, a barber shop, and a tribally-run office supply store. A motel, restaurant, and marina were purchased by the tribe and are now being run under a lease agreement as Shingobee Inn. The tribe also has an Indian-run archaeology firm, the Leech Lake Archaeological Company.

Mille Lacs

While a 61,000 acre reservation, including most of Mille Lacs Lake, was set aside for the Mille Lacs Band in 1855, subsequent events prevented them from obtaining allotments on their reservation. Many moved to White Earth where they could receive allotments. Only a few of the Mille Lacs Band remained at their lake and the current Mille Lacs Reservation was created by the federal government under the IRA in the 1930's. In addition to the Mille Lacs Band, the current reservation includes members of the Sandy and Rice Lake Bands and Indian communities from the Snake and Kettle River. A small number of Sandy Lake Band descendants have urged separate tribal status for their group. Some 32 acres of trust land is associated with them. The BIA has rejected their applications.

From the 1600's until around 1750, Mille Lacs Lake was home to a major Dakota village, Isanti, on the southwest corner of the lake. Called Mdewakanton, "Spirit Lake" by the Dakota, it gave its name to a major woodland Dakota tribe in Minnesota. The Ojibwe defeated the Dakota at Mille Lacs Lake and gradually they established permanent homes with a major settlement on the southwest corner of Mille Lacs Lake. Sandy Lake, also a Dakota settlement, became the major fur trading center for the Ojibwe in central Minnesota. The Sandy Lake Band occupied the historic Savanna Portage that linked the Mississippi River and Great Lakes water routes. In 1794 the British Northwest Company had a fur post on Sandy Lake and the American Fur Company in 1820. A school was established there by missionaries in 1833-1834[7].

Mille Lacs and Sandy Lake, along with the Fond du Lac Band and tribes in Wisconsin, participated in the 1837 Treaty. The 1855 Treaty established reservations for several Minnesota groups of the Mississippi band. These were located at Mille Lacs Lake, Sandy Lake, Rice Lake, Gull Lake, Rabbit Lake, and Pokegema. Of these, Mille Lacs, Rice, and Sandy Lakes are now a part of the Mille Lacs Reservation and Tribe.

The 1863 Treaty, renegotiated in 1864, provided that the Mille Lacs Band to "not be compelled to remove" to the Leech Lake Reservation as long as its members did not molest whites; "owing to the heretofore good conduct of the Mille Lacs Indians" in helping to head off an Ojibwe-white conflict at the time of the Sioux War in 1862. (Article XII, 13 Stat. 693; 11 Kappler 862). Although later treaties, laws and special commissions, designed to move all Ojibwe to White Earth, provided that Indians could have the option to remain where they were and still receive allotments the provisions were not honored for Mille Lacs Band members. The land was disposed of to timbering interests and farmers. The Mille Lacs Indians were driven away because the federal governments allowed whites to acquire title to the land.

[7] (Folwell, Vol. 1, p. 68, 104, 173).

As a result many moved to the White Earth Reservation where they were the largest group in the 1920 census. A few remained landless in their homeland with 284 people recorded in 1911. Small allotments, three to seven acres, of inferior land were finally provided in 1926 to those who had remained. In another 25 years, the trust status ended. Instead of extending the trust for another 25 years, the BIA prepared to issue titles. Without the authority of the people involved, the land instead was transferred to the MCT and remains in trust today[8]. In recent years, the band has been seeking to reclaim its reservation by purchasing land. By August 1995, they band held in excess of 12,000 acres in trust and fee status. This is about 20% of the 1855 reservation lands.

The reservation boundaries span four counties of east central Minnesota, Mille Lacs, Crow Wing, Aitkin, and Pine. The state's second largest lake, Mille Lacs dominates the reservation. Land is mainly second growth forest, swampy tracts, and countless small lakes and streams. While a member of the MCT, the Tribal government operates under its own unique arrangement with an elected Chief Executive who administers the Executive Branch, four elected officials responsible for legislation, an Assembly speaker elected at-large, and three representatives when elected by districts make up the Band Assembly. A judiciary system exists which combines appointed lawyers and an independently elected judiciary.

For governmental purposes, the reservation is divided into three districts. District I is the largest, with about 60% of the population. It is on the southwest shore of Mille Lacs Lake, on Highway 169, at the community of Vineland. The Tribal government is located here, as is the Grand Casino and Grand Casino Hotel Mille Lacs, the tribal schools and health clinic. The Minnesota Historical Society, in cooperation with the tribe and utilizing elders and artists of the band, operates a $6 million museum here as well. Onamia (12 miles south) and Brainerd (30 miles northwest) are the closest communities to this portion of the reservation. It is about 100 miles north of the Twin Cities.

District II is a collection of scattered sites on the east side of Mille Lacs. East Lake is the district center which is home to a community center that opened in 1995. This building houses government offices including tribal police and a wide range of social services including a health and dental clinic, elderly nutrition program, Head Start, and a full-size gymnasium with a youth director. East Lake is 60 miles from Duluth, 65 miles from Grand Rapids and 45 miles from Vineland. Other scattered sites in District II include those living near Isle, at the southeast end of Mille Lacs Lake; Lake Minnewawa, northeast of the East Lake area and Sandy Lake, further north at Big Sandy lake.

The Lake Lena area is District III, 85 miles from Vineland and 30 miles east of Hinckley near the Wisconsin border and the St. Croix State Park. In 1990, 1,500 additional acres of land, including a lake, were added to the reservation in this area. Lake Lena has an award-winning ceremonial center as well as a community center that was completed in 1995. Services similar to those at East Lake are provided. The Grand Casino Hinckley is within this district, at the Hinckley exit, just east of Interstate 35.

The Mille Lacs Band was one of the first groups of ten tribes to contract to run their own programs under the Self-Governance Act. They issue their own automobile license plates. Since 1992, the band has operated an office in Minneapolis to provide tribal services to members. The following year they opened a permanent office in Washington, DC, to do a better job communicating with legislators and federal program providers.

The area has had very little economic development, with tourism and sports fishing service being the main source of employment. The band aggressively entered the casino business when the legal arrangements were clarified in the early 1990's. Under a management agreement with Grand Casino, Inc., now a publicly traded gambling stock, two major casinos were built with hotels added later. Grand Casino Mille Lacs, in addition to gaming, offers entertainment, meeting facilities, a hotel with an

[8] For the detailed story of the Mille Lacs Band" history see Roger and Priscilla Buffalohead, Against the Tide of American History: The Story of the Mille Lacs Anishinabe, Cass Lake, MN: Minnesota Chippewa Tribe, 1985. The allotments of 1926 and transfer to the MCT are p. 76-77, 107-8.

extensive buffet and numerous other food services. In addition, individual band members own and operate several shops located in the facility, has conference facilities.

Grand Casino Hinckley has 100,000 sq. ft of gaming, 46 blackjack tables, over 1,600 slots, a buffet and other food services and live entertainment. The tribe's hotel with 281 rooms opened in 1997. They have no connection with the Grand Hinckley Inn. When the casino was first built, outside interests purchased the land adjacent to the casino and has since had owner/operator relations with several of the subsidiary functions. By 1997, although others benefited from the operation of the restaurant, Kids' Quest Day Care program, the amphitheater, and RV facilities, the tribe owned the building and the land. The tribe had a limited partnership arrangement for the golf course.

The success of the casinos has brought about a stunning transformation on the reservation and in the surrounding area. The casinos are the largest employers in both Mille Lacs and Pine Counties. By 1997, several other investments had been made. The Mille Lacs band now owns and operates the Woodlands National Bank in Onamia, a federally chartered bank, and the first Indian-owned bank in Minnesota. They also have the only Indian bank holding company, Mille Lacs Bank Corporation. Facing foreclosure, the tribe bought the Lake Mille Lacs Bakery in Onamia and operate it along with a gas station/convenience store nearby on Highway 169. They are in a partnership with O'Lando's Pizza company.

Not only have employment opportunities been provided for tribal members, but the tribe has improved needed infrastructure and built several major new buildings. Using their government status, they obtained tax-free bonds backed by casino revenue to fund several of their major building projects. By 1996 the bonds had been paid off. Making up for "150 years of need," the band has expanded road work, water and sewer systems, built the Upper and Lower Nay Ah Sing Schools, two tribal schools and child care facilities, Ne-Ia-Shing health clinic, two ceremonial buildings and a powwow ground, two community centers, new day care and elder centers, and, completed in 1997, a Tribal Government Center.

Given the scattered nature of the reservation, their children attend several Minnesota Public School systems. The Nay Ah Sing tribal schools provide an alternative with a consistent Indian focus. Ojibwe language is taught to all age groups as well as the teachers. Elders are incorporated into the school from early day care years through grade 12. Hospitalization is provided off the reservation.

The Mille Lacs Band has implemented its right to have criminal jurisdiction over its members on the reservation. It has an agreement with Mille Lacs County for cross-deputization of the police so that either department can handle a problem. The Mille Lacs court system has extensive civil jurisdiction. Hunting and fishing codes are enforced by the tribe. Under an agreement with the US Fish and Wildlife Service, members can hunt migratory birds in the Minnesota portion of the 1837 Treaty. They share in the hunting and fishing rights of that treaty in Wisconsin with a decision expected in 1997 about full rights in Minnesota.

White Earth

The White Earth Reservation, in northwestern Minnesota, is named for the white clay at White Earth Village. Never the historic homeland of any Ojibwe group, it became a reservation in 1867 in a treaty with the Mississippi Band of Ojibwe. It was to be the home of all of the Ojibwe in the state. The reservation was the size of a full county, 36 townships square, although divided among the three state counties of Mahnomen, Clearwater, and Becker. The land is typical of central Minnesota. Indian communities include White Earth, Pine Point/Ponsford, Naytahwaush, Elbow Lake, Beaulieu, Rice Lake, and Ebro. Other villages were built along the railroad track running south to north in the western part of the reservation, Callaway, Ogema, Waubun, and Mahnomen.

With the 1867 Treaty, great pressure was put on the bands to get them to move. Mississippi Band members from Gull Lake were the first group to come and settle around White Earth Village in 1868. The 1920 census reflected those who had settled in White Earth: 4,856 were from the Mississippi Band

including 1,308 from Mille Lacs, the Pillager Bands had 1,218, Pembina Band 472, and 113 had come from Fond du Lac of the Superior Band.

The different bands tended to settle in different areas of the reservation. Mille Lacs Lake members moved to the northeastern part of the reservation, around Naytahwaush and Beaulieau. Pillager Band members settled around Pine Point in the southeast. After 1873, Pembina Band members from the Red River Valley moved into a township on the western side of the reservation. A community of half-breeds, with a greater interest in taking up European ways, concentrated in the Village of White Earth where the government agency was located. These various groups of Indians, with their different backgrounds and cultures, continue to add a diversity of interests to the reservation today.

The Dawes Act of 1887, Nelson Act of 1889 along with the subsequent Rice Commission negotiations and the two Clapp Amendments of 1094 and 1906, enabled the rapid dividsion of the reservation into individually held parcels, allowing individuals to sell their lands. Much of the land left Indian hands by means of fraud. The timber was sold and cut and much of the land quickly passed into non-Indian ownership. In the decades since, there have been several commissions put together to investigate and numerous court actions ensued to sort out what actually happened.

The loss of four townships in the northeast corner also diminished the White Earth Reservations land base authorized by the Nelson Act. The implications of the land loss on hunting and fishing rights have resulted in several court challenges. In exchange for the four townships, White Earth members were to be able to trap and rice within the Tamarac National Wildlife Refuge. Tribal land holdings were increased by over 28,000 acres of sub-marginal land, acquired by the federal government during the depression, and transferred to White Earth by 1975. The White Earth Land Settlement Act (WELSA) required transferring 10,000 acres of state/county held land to the tribe which occurred in the 1990's. White Earth has relatively very little allotted land still remaining in trust, reflecting the destructive land-grabbing history of the reservation. Enrolled members, however, hold significant amounts of privately owned fee lands, which totaled 33,250 acres in 1995. These are lands that pay property taxes and equal about one-half of the reservation's trust property.

The White Earth Tribal Council is the governing body and the tribe is a member of the MCT. White Earth Village is the location of the tribal headquarters, the IHS clinic (which underwent a five-fold expansion in 1995), the Circle of Life K-12 tribal school, and a senior's housing project and center. Because of the widely scattered settlement pattern on the reservation, government services, social programs, Head Start and day care are provided at four other centers, Nay-tah-waush, Pine Point, Rice Lake, and Elbow Lake. There is an additional Head Start at Waubun and health stations at Nay-tah-waush and Ponsford. Hospitals are in communities off the reservation and at Mahnomen, where the tribe helped with funding equipment.

Seven Minnesota public school districts serve area Indian children, Bagley, Detroit Lake, Fosston, Mahnomen, Park Rapids, Waubun, and Nay-tah-waush. The White Earth Community Service Center serves as a recreational building, swimming pool and gymnasium, built as a part of the Nay-tah-waush High School. The center is operated by the tribe and on tribal land that has been leased to the school district. The Pine Point School, K-8, is a part of the state system that was allowed to become an Indian experimental school in 1969. Under special legislation it is administered by the tribe. Criminal and some civil jurisdiction of Indians is provided by the state. The tribe has a conservation court and is working to develop its own criminal code and enforcement system with police and court enforcement.

The White Earth Reservation is in an area of especially severe continuous unemployment. The Tribe's Shooting Star Casino and Hotel in Mahnomen has been a successful operation and is the largest employer in Mahnomen County. The land had not been in trust, and with the legal confusion about the federal government's ability to accept more trust land, the casino has continued to pay property taxes. There is a 224-room hotel with swimming pool, arcade, entertainment, and a full range of food service options. There is also an RV park. A great deal of investment in infrastructure has been required, including expanded water and waste treatment facilities, telephone systems, and highway development.

The tribe also owns and operates the Ojibwa Building Supplies and Forest Products in Waubun, retailing wood products and also serving as a reservation job-training center.

Red Lake Nation

The tribal government has full sovereignty over the reservation, subject only to federal legislation specifically intended to deal with Red Lake, which makes it a "closed" reservation. The Tribe has the right to limit who can visit or live on the reservation. It has never been subject to State law. The Red Lake Tribe withdrew in 1918 from the General Council for the Chippewa, intended to bring all Ojibwe into one tribal structure, and continues to maintain its own identity separate from the MCT.

There are many legal and program differences between Red Lake and the other state reservations. The Tribe has its own constitution providing for elected officials representing the four reservation areas and a participating council of hereditary chiefs. While the federal government is responsible for major criminal matters, as specified in federal law, the Tribe has jurisdiction in all other criminal matters. Its court has full jurisdiction over civil and family court matters. In 1997, the Tribe began administering its own programs under a Self-Governance Contract with the BIA.

Red Lake

During the French period of the fur trade, the Dakota had a major village at Red Lake. It was around 1796 that the Ojibwe settled along with the British North West Co. A fur trading post was established in 1806.

The Red Lake Band through treaties and agreements in 1863 (amended 1864), 1889, 1892, 1904, and 1905 gave up land but never ceded the main reservation surrounding Lower Red Lake and a portion of Upper Red Lake. This unceded land is spoken of as the “diminished” reservation and “aboriginal” land. It is 407,730 acres. In addition there are 229,300 acres of surface water area on both the lakes.

Tribal leadership during the late 1800’s and early 1900’s, skillfully resisted allotment legislation and held the land intact for the tribe as a whole. Today, the tribe celebrates its own Independence Day on July 6th in honor of the courage of their chiefs in resisting allotment during the negotiations of the 1889 Nelson Act. Only one other tribe in the United States also resisted allotment, the Warm Springs Tribe in Oregon. When land that had been ceded, but not sold, was returned after 1934 it amounted to 156,696 acres. It included 70% of the Northwest Angle of Minnesota, as well as lands scattered between the reservation and the Canadian border. The total land area controlled by the tribe, 564,426 acres, is about the size of Rhode Island. The land is located in nine different counties. The tribe has jurisdiction to regulate hunting and fishing on the original, diminished lands, and the ceded lands that were returned. The remainder of the ceded areas, not held by the tribe, are under State jurisdiction.

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The reservation is located in northwestern Minnesota. It completely surrounds Lower Red Lake, the State's largest lake, and includes a major portion of Upper Red Lake, the state's fourth largest lake. Bemidji, the closest city, is 35 miles to the south. Thief River Falls is over 70 miles west. The land is slightly rolling and heavily wooded, with 337,000 acres of commercial forestland under management. There are lakes, swamps, peat bogs, and prairies, with some land on the western side suitable for farming. The main population areas are in Beltrami and Clearwater counties.

The four reservation communities are the villages of Red Lake, Redby, Ponemah, and Little Rock. Red Lake Village is the location of the tribal headquarters, newly built in 1996. The tribal court, the BIA Agency office, Red lake school, K-12th grades, operated as a regular state public school, a modern IHS hospital, the Jourdain/Perpich Extended Care Facility for the elderly, a center for activities and the nutritional program for the elderly, and other community buildings including the Humanities Building which houses the Head Start program, a swimming pool and other recreational and group facilities. The main powwow grounds are in the village.

Redby, also on the south shore of Lower Red Lake, is further east. During the logging era, Redby was the city at the end of the railroad line. A small amount of Indian land went into private ownership there at that time. Fourteen property taxpayers remain. Redby has a community center and is the site of Red Lake Forest Products, the tribal sawmill. A fish hatchery and tree nursery are located in the community as are an adolescent group home and a chemical dependency treatment facility are all located in Red Lake.

Ponemah, near the end of the peninsula separating Upper and Lower Red Lakes, is the home of very traditional members. It has a community center, an elementary school, Head Start, a health clinic, programming for elders, and a powwow grounds built in 1994.

The Little Rock area is to the west of Red Lake. It has a community center and an Indian-owned store. The reservation staffs an ambulance service, a fire department, and sanitation service. It is the first reservation in Minnesota to build an archives-library program to preserve tribal records and historical material.

Employment on the reservation is very limited, resulting in high unemployment rates. Expanding the economic base has high priority. Governmental services provide employment. Timber management, operating a tree nursery for replanting, and logging provide some employment. The tribe operates a sawmill, producing lumber. Red Lake Fisheries Association, Inc., a cooperative begun in 1929, had about 300 fishermen-members, with up to 500 catching fish during the season. They processed the fish and filleted them for sale, either fresh or flash-frozen. The operation closed for the 1997 season due to the depletion of game fish. It is presently under strict management and is slowly recovering it's game fish population. A farm was purchased on the southwest corner of the reservation in 1994 and the tribe has continued with its paddy rice operation. A pilot project to grow cranberries was started in 1997. Gravel is also sold commercially.

The reservation has its own ambulance service, fire department, and sanitation service. Their solid waste disposal is at a recycling, incineration facility, (SWIScorp), in Thief River Falls. The tribe has a 20% ownership of the operation. Red Lake Builders, tribally-owned, does reservation building, road construction, and other construction work off the reservation. In 1987 the Tribal Red Lake Retail Center was built in Red Lake village. It offers needed services. Indian-owned stores sell groceries gasoline, auto parts and repair, hardware, a take-out food shop, laundromat, and video store. There is also a retail center at Ponemah with groceries and gasoline.

The tribe also operates three casino operations, built on trust land funded and managed by the tribe. There is a modest operation in the Humanities Building in the village of Red Lake. Seven Clans Casino, located seven miles south of Thief River Falls just off of Highway 59, has 13,000 sq. ft of gaming, 10 blackjack tables, 279 slots. Lake of the Woods Bingo & Casino are at Warroad with 16,000 sq. ft of gaming, 10 blackjack tables, 270 slots other video games and bingo. Each has food service. The tribe purchased and operates the Lake of the Wood Motel, a 60-room facility with a restaurant, a bait

shop, and a launch service adjacent to the casino. Because of the very limited housing available in the area, the tribe has purchased two apartment houses for employees.