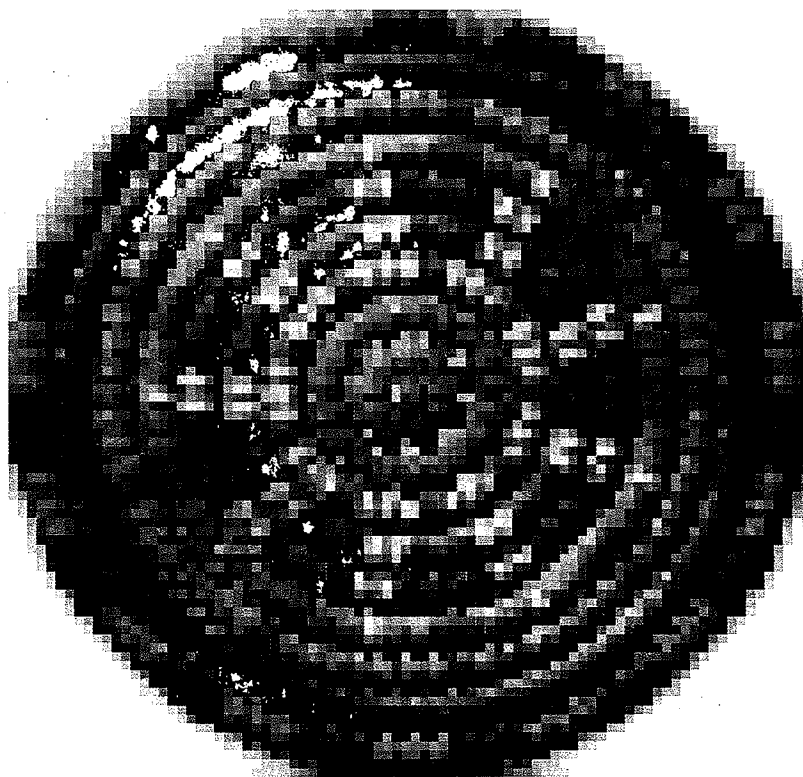




STATE OF

*Minnesota*

**INDIAN AFFAIRS COUNCIL  
2006**



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# Minnesota Indian Affairs Council

## Protocols for Working with Tribes

*The following list of suggestions is provided to help you develop sound relationships with tribal officials. Thank you to the Minnesota Indian Affairs Council and the Tribes for this information. (updated 1/1/1999).*

- Meetings between tribal officials and staff should, if possible, be conducted between the same level of officials.
- Respect Tribal council officials as officials of government.
- Tribal council officials expect to be treated in the highest professional manner when conducting business.
- Like all business relationships, honesty and integrity are highly valued. A sense of humor is appreciated, but generally, serious business-like behavior is appropriate.
- Personal interest in tribal political and cultural history is appreciated, but don't let your personal interest interfere with your mission or task. When possible, do your homework ahead of time to help you understand a situation or issue.
- During negotiations, prepare to discuss all aspects of an issue at hand simultaneously, rather than sequentially.
- Understand that there are different ways of communication. Seemingly extraneous data may be reviewed and re-reviewed.
- Always shake hands when introduced, meeting someone and departing. It is customary to shake hands with everyone in the room.
- For business meetings, dress formally.
- Traditional authorities often do not relate well to written communication and may find face-to-face consultation more appropriate.
- Like most people, American Indians object to being "consulted" by people who have little intention of doing anything in response to their concerns. Be prepared to negotiate -- to the extent that you have authority -- to find ways to accommodate the group's concerns. And be prepared to respond with reasons why the advice may or may not be followed.
- Do not rely solely on letters or other written materials to notify tribal governments of proposed plans or actions or to seek consultation. Many groups lack the funding or administrative support to receive and respond efficiently to letters. Letters may not reach the people who are most concerned. Follow-up written communication with telephone calls or in-person contacts.
- Tribal Governments usually are not wealthy. It may be difficult for tribal officials to come to meetings or exchange correspondence. In addition, traditional leaders are busy people with responsibilities in the social and cultural life of the community. Be careful how you use their time and avoid causing undue expense. In addition, tribal governments generally do not have large staffs to assign to meetings, follow-up, etc.
- Remember that American Indians may perceive themselves as having a long history of uneven relationships with the U.S. government. They may be suspicious of your proposals. Do not expect a sympathetic attitude to be automatic.
- Be flexible about deadlines, if possible. To be effective, try to follow the most natural schedule. If the mission requires that particular deadlines must be set, be sure to explain what they are and why they must exist. Expect to negotiate about them.
- Those you consult with might not be able to answer questions immediately. They may have to think about it and consult with others. As a result, it may be necessary to pose a question and then go away while they consider and debate the matter.
- Do not assume one American Indian speaks for all American Indians or tribal governments. Take advantage of organizations like the Urban Indian Advisory Council for broad input.

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## Protocols for Working with Tribes

According to a survey by the National Conference of State Legislatures, "...state and tribal governments that work together on less controversial issues learn about each other in the process. Collaboration requires a willingness to overlook what might seem to be glaring differences in order to search for common ground. Increased understanding and communication that results in cooperation on less demanding issues fosters an improved ability to work together in the future.

"Success is not so closely related to what type of state organization, office or committee has been set up to deal with tribal issues as it is a function of (1) how involved (American Indians) are in the political structure; (2) how good the communication is between different branches of government dealing with Indian affairs; (3) how good the communication is between state government offices and (American Indian) communities; and (4) how much the employees of those offices understand and care about state-tribal relations."

Finally, remember what the N.C.S.L.'s *State and Tribes Building New Traditions* publication says:

"Cooperative state-tribal government relationships are difficult to establish. With slim guidance from the U.S. Constitution and inconsistent foundations in case law, states and tribes are forging their ways in a legal wilderness.

"The primary government-to-government relationship for most tribes is at the federal level. Because of ill-defined relationships and imprecise definitions of regulatory authority, state and Indian tribal governments are often on their own to work out one-to-one arrangements."

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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 American Indian communities. The Council administers two 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 American 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

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#### MEMBER



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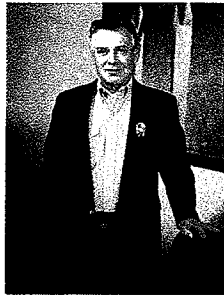
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## Urban Indian Advisory Council (UIAC)

The Urban Indian Advisory Council is a subcommittee of the Minnesota Indian Affairs Council with representatives from four Minnesota cities that have significant American Indian populations: Minneapolis, St. Paul, Duluth, and Bemidji. Minneapolis and St. Paul each have 2 representatives and Duluth and Bemidji each have one representative that comprise the six-member UIAC. The City of Bemidji became part of the UIAC three years ago. As a result, the Bemidji American Indian population did apply and did receive a housing grant that increased Bemidji housing stock specifically for American Indian, by three. This is small in number but very significant to the American Indian families now occupying those homes. This grant came from the Minnesota Housing and Finance Agency, via the Urban Indian Advisory Council's urban Indian Housing fund. Affordable housing is an important concern for the American Indian citizens living in the four urban centers covered by the UIAC.

The Urban Indian Advisory Council provides a forum for urban Indian communities, groups, and citizens to raise issues, discuss potential solution, and request action regarding those identified issues that impact them. The UIAC compiles the information and when appropriate presents its findings to the full Minnesota Indian Affairs Council for potential action or support. These activities can be used as a basis for new legislation, or policy change, that affects the Indian urban populations in Minnesota. The Urban Indian Advisory Council, in its advisory role, works with the Executive Committee of the Minnesota Indian Affairs Council. The chair of the UIAC attends and reports at the quarterly meetings of the full Council so as to allow direct communications between the Council and its' UIAC subcommittee.

As part of their mission, the Urban Indian Advisory Council representatives are committed advocates willing to introduce issues to the full Minnesota Indian Affairs Council. Especially those issues expressed by those they represent. With that in mind, the UIAC members seek to participate in strategic planning sessions to better identify which avenue they may pursue to address and solve problems. The strategic planning sessions present an excellent opportunity to create goals and objectives for the upcoming biennium.

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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.

## Liaisons

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## Specific Programs

### Indian Business Loan Program

Transferred to the Department of Employment & Economic Development August 2003.  
Contact Bart Bevins (phone: (651) 297-1170 or email: [bart.bevins@state.mn.us](mailto:bart.bevins@state.mn.us)) at DEED for further information.



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## **Indian Economic Opportunity Program**

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

A Community Services Block Grant (CSBG) provides federal monies each year from DHS to the MIAC for this position. This grant provides funds for the Community Service Representative 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, identifying 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).

### **Activities**

This is the 23rd 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 Office of Economic Opportunity 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**

### **Cultural Resource Program**

**2005**

The Minnesota Indian Affairs Council has had a Cultural and legal responsibility to monitor and enforce laws that have protected American Indian human remains and associated burial items. Including protecting the places where our ancestors lived and camped.

During the last couple of years, agencies whose existence was to protect these places. Have help to systematically erode these important places away. The Office of the State Archaeologist,

Cultural Resource Program cont.....

along with the State Historic Preservation Office. Have contributed to sites being lost or impacted by construction activities in one form or the other.

Some examples include the following.

The previous State Archaeologist misinformed contractors and developers about MIAC role under 307.08 the private Cemeteries Act.

---

Lack of funding for the MN Historical Society, resulted in cuts to the State Historic Preservation Office (SHPO), who in the past. Reviewed public and private EAW, not reviewing these EA's has resulted to sites being lost.

Back in 1991 the Minnesota Indian Affairs Council along with State Archaeologist jointly developed Procedures for the Implementation of MN ST 307.08. It is of particular importance for the procedures to follow were the changes made in Subdv. 7. The 1980 version of the law gave the State Archaeologist jurisdiction over remains dating prior to 1700 A.D. and without Tribal affiliation. In effect, this meant that the disposition of virtually all-Indian remains older than 1700 A.D. was to be determined only by the State Archaeologist.

In actual fact, however, the State Archaeologist and the Indian Affairs Council had been jointly determining what would happen in such cases, with the Indian Affairs Council assuming the lead in activities relating to cultural or religious concerns. The State Archaeologist, and Indian Affairs, therefore, proposed and obtained changes in the law, which more closely reflected actual practice. Subdv. 7 now states:

*If tribal identity cannot be determined, the Indian remains must be dealt with in accordance with provisions established by the State Archaeologist and the Indian Affairs Council.*

In keeping with the intent of the law, and with Subdv. 7, the provisions (Policy and Procedures) listed here are the same for both Indian and non-Indian burials, but provide for lead action by Indian Affairs in the case of Indian Burials, and by the State Archaeologist in the case of non-Indian burials. The State Archaeologist continues to assume State responsibilities for authenticating cemetery sites for the purposes of the law and for making determinations of ethnic affiliation and whether remains fall under the provisions of this statute.

The procedures applied to all state agencies, political subdivisions, institutions, and private individuals within the State of Minnesota. In addition, when American Indian human remains are recovered from within the proclamation boundaries of Reservations or within the ceded territories of the Bands of the Minnesota Chippewa Tribe or the Red Lake Chippewa, the appropriate Tribal and Reservation Ordinances should be consulted. Tribal and Reservation Ordinances may take precedent over these procedures. American Indian human remains may not be removed from Indian Trust Lands without proper authorization by the Reservation and the Bureau of Indian Affairs.

The State acknowledges the right of sovereign American Indian Tribes and other cultural or ethnic groups to practice their religious beliefs with regard to burials, which come under the provisions of MN ST 307.08.

#### **Native American Graves Protection and Repatriation Act**

Prior to the development of the Procedures for Implementation for MN ST 307.08. There was a Federal Law that was passed that help to strengthen our State Laws. November 16, 1990. Public Law 101-601 was passed and signed by President George Bush. The Native American Graves Protection and Repatriation Act (NAGPRA).

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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 that have been excavated or discovered on Federal or Tribal Lands.

### **Cooperative Stewardship Workshop**

Last year in 2004, tribal representatives along with members of Minnesota's archaeological community came together at an event that was held near Mille Lacs. The title of the workshop was

*Embracing Our Past,  
Changing Our Present,  
Protecting Our Future,  
Together.*

The intent of this workshop is to provide a healthy place for Minnesota's Tribal Officials and representatives of Minnesota's archaeological community to engage in dialogue about cooperative stewardship. The intent is to enhance our capability for stewardship by expanding our relationships with each other. To learn from one another. To acknowledge, assess, and surmount past and present issues. To move forward by establishing collaborative, proactive, and respectful ways of embracing, understanding and protecting cultural heritage.

This year's workshop featured speakers discussing past, present, and possible future relationships between archaeologists and American Indian, and addressing the theme of "different ways of knowing". Small group discussions explored the concepts of respect and appropriate consultation, and will consider how legislative mechanisms might be structured to help us more effectively apply those concepts in our day-to-day work.

Last year highlights from the Cooperative Stewardship Workshop that was held at Izaty's Resort. The Cooperative Stewardship Planning committee had hoped that we would have an attendance of about 30 to 40 people. The attendance was over a hundred participants who represented both the archaeological community and nearly half of the tribal communities within the state.

*This year's event we expect to have over 150 people attend.*

## 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 MIAC 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 2005 Budget and Expenditures

### Direct Appropriations FY 2004

	Item	Budget	Expenditures
General Operations	Personnel	351,911.00	277,298.00
	Operations/Travel	98,548.00	101,376.00
	Subtotal Over/Under Budget	450,451.00	378,674.00
Indian Affairs Board	Board Compensation	3,200.00	3,135.00
	Travel/Meetings	8,580.00	10,042.00
	Subtotal	11,780.00	13,177.00
Cultural Resources	Operations/Travel	19,761.00	21,467.00
		19,761.00	9,616.00
	Subtotal		34,083.00
OEO		18,686.00	19,657.00

# INDIAN AFFAIRS COUNCIL

## Agency Overview

			Dollars in thousands		
	Current		Governor Recommended		Biennium 2006-07
	FY2004	FY2005	FY2006	FY2007	
<b><u>Direct Appropriations by Fund</u></b>					
General					
Current Appropriation	482	482	482	482	964
Recommended	482	482	482	482	964
Change		0	0	0	0
% Biennial Change from 2004-05					0%
<b><u>Expenditures by Fund</u></b>					
<b><u>Direct Appropriations</u></b>					
General	446	570	482	482	964
<b><u>Statutory Appropriations</u></b>					
Federal	60	60	60	60	120
Gift	0	3	1	1	2
Total	506	633	543	543	1,086
<b><u>Expenditures by Category</u></b>					
Total Compensation	377	402	417	417	834
Other Operating Expenses	129	231	126	126	252
Total	506	633	543	543	1,086
<b><u>Expenditures by Program</u></b>					
Indian Affairs Council	506	633	543	543	1,086
Total	506	633	543	543	1,086
<b><u>Full-Time Equivalents (FTE)</u></b>					
	5.5	5.4	5.4	5.4	

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## **2005 Legislative Session**

### **Minnesota Indian Affairs Council**

#### **Legislative Report**

#### **2005 Legislative Session**

#### **2006 Legislative Session**

The 2005 Legislative Session of the Minnesota state legislature marked the budget year. All departments within the state of Minnesota are responsible for submitting their budget requests to the legislature for funding consideration into the next biennium. The budget year is considered the long session, typically beginning in early January and ending in May. The 2005 legislative session went into a Special Session and did not end until the House and Senate were able to come to an agreement on the budget.

The 2005 Legislative session did not see any significant cuts across agencies to Indian programs throughout the state agencies. Indian programs throughout the state agencies also did not see any significant increases in funding to programs for American Indians.

The Minnesota State Legislature website maintains a site that reports on all bills introduced for the legislative session by topic in both the House and Senate. A search for all legislation introduced into the legislature can be found which includes the bill number, text, summary, description and authors, as well as status for each bill. Further searches can be conducted under headings, such as "Indians," "Tribes," etc.

To access the complete documents and conduct searches of all legislation, go to the website [www.leg.state.mn.us](http://www.leg.state.mn.us) and search under "Bill Search and Status."

## **2006 Legislative Session**

The 2006 Legislative Session of the Minnesota State Legislature is designated the bonding year. All bills considered for funding for special projects throughout the state by the legislature are submitted to the legislature for consideration. In addition to bonding requests, several bills affecting American Indian tribes and communities were also introduced into the Minnesota Legislature.

Tribal identification cards were an ongoing topic of the 2006 legislative session. Several bills have been introduced which include language for dealing with tribal identification cards. There are also bills that have been introduced in the legislature specifically dealing with voter rights issues and the use of tribal identifications.

Prior to the 2006 legislative session, a collaborative effort by American Indian community members gathered at the American Indian OIC with assistance from Representative Karen Clark, DFL, and Senator Linda Berglin, DFL, to begin work on an American Indian Education bill. Ongoing efforts were made by many community members to introduce a bill that would address curriculum, teacher training and licensure, and the implementation of a task force in Indian Education in the Department of Education. A form of the original legislation is currently making its way through the Senate and has been placed into the Senate's Education bill for consideration in conference committee.

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School district bonding requests by Red Lake and Nett Lake advanced to the Capital budget bills of both the house and senate.

On March 29, 2006, the Minnesota Coalition for Battered Women, Minnesota Indian Women's Sexual Assault Coalition, Minnesota Network for Abuse in Later life, and the Minnesota Coalition for Sexual Assault held a Violence Against Women Action Day to address statewide efforts to end domestic and sexual violence against American Indian Women. The effort focused on raising awareness and understanding among policymakers and all Minnesotans of the scope of violence against American Indian women in Minnesota. Currently, American Indian and Alaska Native women suffer the highest rates of violent victimization in the country. Legislation regarding tribal Orders for Protection being entered into the statewide registry is also moving securely through the legislature, which will result in greater safety for women and children residing off reservation lands who have orders for protection by issued by tribal court. Predatory offender laws have also been addressed which resulted in several tribes signing MOA's with the Attorney General's office on a government-to-government basis to make sure high-risk offenders cannot hid from the law while residing on Reservation lands. With this commitment, the Tribes and the State of Minnesota will do everything they can to ensure that the current address of the predatory offender is known and that they will not be able to hide from the law.

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## 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:

"Notwithstanding 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 Education, Department of Human Services (DHS), Department of Natural Resources

(DNR), Department of Human Rights (DHR), Department of Employment & Economic Development (DEED), 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.



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## Department of Education

### Indian Education Act of 1988

The legislature finds that more adequate education is needed for American Indian people in the State of Minnesota. The legislature recognizes the unique educational and culturally related academic needs of American Indian people. The legislature also is concerned about the lack of American Indian teachers in the state. Therefore, pursuant to the policy of the state to ensure equal educational opportunity to every individual, it is the purpose of sections 124D.71 to 124D.82 to provide for American Indian education programs. These programs are specially designed to meet these unique educational and culturally related academics needs or both.

### History

1936

MN. State Board of Education entered into a contract for \$80,000 with the BIA to educate American Indian students in public schools in northern Minnesota.

1954

MN. State Legislature appropriated 5,000 for scholarships for Indian students.

1970's

MN. Legislature appropriation for grants to school districts for specialized Indian Education Programs

1982

MN. State Board of Education adopted a policy statement on Indian Education

1986

Conducted statewide Indian Education needs assessment

1988

MN. State Legislature adopted the Indian Education Act

1996

Conducted statewide Indian Education needs assessment

2001

MN. Legislature amended Indian Education Act of 1988

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## **Grants Programs**

### **Success for the Future**

Target-American Indian students Pre-K through 12 in public, charter and tribal schools.

Goals-The development of comprehensive and collaborative programs that support academic achievement, decreasing the drop out rate and the improvement of school climate in a culturally appropriate manner for American Indian Students.

## **Programs**

### **Tribal Equalization**

The program provides aid payments to the 4 tribal schools based upon a formula using average daily membership and BIA support costs.

### **Tribal Early Childhood Family Education**

An appropriation to fund ECFE activities at the 4 tribal schools

### **Indian Scholarship Program**

Provides need based supplemental scholarships to American Indian students pursuing post-secondary certificates, diplomas, degrees or licensure in all fields of study. Awards are individually determined.

### **Indian Teacher Training Program**

Provides scholarships and loans to American Indian students interested in a teaching career at 4 MN institutions.

### **Ethel Curry Scholarship Program**

An endowment from Ms. Ethel Curry of 1 million dollars to establish a scholarship program for junior, senior and graduate American Indian college students.

The scholarship is awarded based upon academic excellence.

### **Indian Home School Liaisons**

Indian Home School Liaisons advocate for American Indian students who are in special education or who are being considered for special programs. This program is funded by the Special Education dollars with oversight and training provided by the Indian Education staff.

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## **Curriculum**

### **American Indian Cultural Resources**

Units developed by American Indian educators which provide teachers with supplemental materials to teach American Indian Culture. The lessons may be used for teaching elementary, intermediate and high school students.

### **Minnesota Positive Indian Parenting**

A manual reflecting the Minnesota American Indian perspective developed to complement the National Indian Child Welfare Association curriculum.

### **Expanding the Circle**

A transition curriculum for American Indian Youth. Training opportunities and materials available through the Institute on Community Integration at the U of M, 612-625-5322 or [ici.umn.edu](http://ici.umn.edu) Curriculum also available through [www.education.state.mn.us](http://www.education.state.mn.us).

### **Creating Sacred Places**

Learning Manual

Creating a Sacred Place to Support Young American Indian and Other Learners.

Creating a Sacred Place to Support Young American Indian and Other Learners Vol. 8

Creating a Sacred Place for Students Grades 4-6

Creating a Sacred Place for Students Grades 7 & 8

Creating a Sacred Place for Students Grades 9-12

NATIONAL INDIAN SCHOOL BOARD ASSOCIATION

PO Box 790

Polson, MT 59860

Phone: 406.883.3603

Fax: 406.675.4801

### **Completing the Circle: Reaching Excellence, AK-3 Reading Curriculum & Introduction**

Completing the Circle- Reading Excellence provides a culturally relevant reading curriculum for Native American children based on a rich body of American Indian literature and thematically related non Indian literature. The curriculum is implemented through research-based "best practices" and strategies for all children and extended to

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include additional research-based strategies found to be of particular usefulness for teaching Native American children.

### **Additional Resources**

For a listing of other culturally relevant resources visit the MDE Indian Education Website: [www.education.mn.state.us](http://www.education.mn.state.us)

### **Training, Conferences , Workshops**

- Johnson O' Malley/Title VII Annual Spring Conference
- Indian Home School Liaison Training, Fall & Spring
- Financial Aid Training
- MN Indian Teacher Training Program
- Success for the Future
- Positive Indian Parenting
- Parent Advisory Committee
- Community Financial Aid Training, as requested
- Title VII Project Plan Writing Assistance
- Impact Aid
- Financial Aid Advisor & Tribal Scholarship Directors

### **Indian Education Staff**

Yvonne Novack, Supervisor [yvonne.novack@state.mn.us](mailto:yvonne.novack@state.mn.us)

Ladonna Mustin, Administrative Assistant [ladonna.mustin@state.mn.us](mailto:ladonna.mustin@state.mn.us)

Lori Herzog, Customer Service [lori.herzog@state.mn.us](mailto:lori.herzog@state.mn.us)

Rebecca Garay-Heelan, Program Specialist  
[rebecca.garay-heelan@state.mn.us](mailto:rebecca.garay-heelan@state.mn.us)

Melvin Monette, Scholarship and Program Specialist [melvin.monette@state.mn.us](mailto:melvin.monette@state.mn.us)

We can be reached at **1-800-657-3927**

### **Key Elements for Success**

- Efforts to increase high school graduation rates and develop pathways to college and the workplace for Native students.
- Efforts to strengthen early childhood education so that Native students enter school ready to learn.
- Impact and role of Native language and culture on the development of educational strategies to improve academic development.

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- Compilation of comprehensive data on academic achievement and progress of Native students
  - Identification and dissemination of research-based practices and “what works” in raising academic achievement and, in particular, reading achievement of Native students.

### **Federal Indian Education Funds**

- **Formula Grants for Local Education Agencies**

On June 30<sup>th</sup>, the Office of Indian Education provided over \$95 million to support almost 1,300 LEAs (urban and rural) serving over 570,000 American Indian and Alaska Native students, including more than 40,000 students in BIA schools, to address the unique educational and culturally related needs of Indian children. The Office of Indian Education also conducted four regional technical assistance workshops to assist grantees on program issues and to gain grantee input on the development of a new electronic application for FY 2007 programs. **Known as Title VII Grants**

### **Federal Grants**

- Impact Aid was designed to assist Local School Districts that have lost property tax revenue due to the presence of Tax-Exempt Federal Property or have experienced increased expenditures due to enrollment of federally connected children.

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## **MN Department of Employment and Economic Development (DEED)**

### **Minnesota Indian Business Loan**

The Minnesota Indian Business Loan Program supports the development of Indian-owned and operated businesses and promote economic opportunities for Native American people throughout Minnesota. Eligible applicants must be enrolled members of a federally recognized Minnesota-based band or tribe. Businesses may be located anywhere in the state, although most of the loans are made to businesses on a reservation. Eligible projects include start-up and expansion costs, including normal expenses such as machinery and equipment, inventory and receivables, working capital, new construction, renovation, and site acquisition. Financing of existing debt is not permitted.

Each band or tribe is allocated funds from the Indian Business Loan Fund, based on the number of enrolled members. The Department of Employment and Economic Development (DEED) administers the program and services the loans, while the appropriate tribal council approves loan applications. Loans may not exceed the funds available to any one tribe and are limited to 75 percent of the cost of the project that is being financed. Non-real-estate loans are limited to no more than 10 years. Owners must provide a portion of the financial needed to undertake the project; the amount varies between 5 percent and 10 percent depending on the requirements of each band or tribe.

Applications are accepted on an ongoing basis subject to the availability of funds. They may be submitted to DEED and then forwarded to—or directly submitted to—the appropriate tribal council for further consideration. Applications must include a business plan that describes the business, including its product or service, management, organization, market, operations, and financial projections.

## **MN Department of Health**

### **Minnesota Department of Health Report**

From the Desk of Sharon Smith  
Tribal Health Liaison

Governor Tim Pawlenty reaffirmed his commitment to the tribal governments to honor the sovereign status by signing a proclamation indicating his commitment. Under the leadership of Commissioner Dianne Mandernach, Minnesota Department of Health, the relationship between state and tribes continues to work together to improve the health

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of all American Indians living in the state of Minnesota by addressing the health disparities that exists within the communities.

American Indian health issues continue to be on the forefront at MDH under the guidance of American Indian staff in the Office of Minority and Multicultural Health.

The Office of Minority and Multicultural Health

A Tribal Health Liaison position was filled in early 2003 in the community health division and was moved to the Office of Minority and Multicultural Health in 2004.

Local Public Health Act Legislation was passed in 2003 to combine funds from several grants. Set aside funds of \$3 million went to tribal governments including, Eliminating Health Disparities Initiatives Funds, Maternal Child Health Funds, and TANF Funds.

Local Public Health Block Grant for tribal governments began in January 2004 to address health disparities, maternal child health and TANF, home visiting/teen pregnancy prevention. Tribal health directors participated in development of formula to distribute grant dollars directly to tribes.

LPH block grant for tribes is under the administration of the tribal liaison to ensure tribes receive funds directly from the state, continue to participate in the grants process and assure grant activities are culturally specific to each community.

Instituting formula grants directly to tribes for emergency preparedness.

Urban health coordinator continues to provide grants management for grants that address the elimination of health disparities within the urban communities of color, the urban American Indian community, and two tribal communities.

The first American Indian Health Summit was held in the spring of 2005 and included eleven tribes, Indian Health Services, MN Department of Health, MN Department of Human Services, and other health related sponsors.

Quarterly Meetings with the Department of Health, Department of Human Services, and the eleven tribal governments were held to keep tribes informed about state activities that might affect the tribes.

## **DHS TRIBAL RELATIONS**

DHS Tribal Relations Coordinator: **Vern LaPlante** (651) 431-2910

This position is that of overseeing DHS relations with the American Indian community living both on and off Indian reservations. The primary function is to (a) provide leadership in maintaining positive relationships with the tribal governments/urban Indian community, and (b) identify key issues that will maintain positive relationships. In either case, this position will work with DHS staff and tribal and urban Indian representatives to keep abreast of issues and make recommendations to the Commissioner, Senior Management, and other key staff when it is appropriate.

Currently, the major DHS tribal initiatives and lead staff are the following:

### **HEALTH CARE:**

1. To improve access for American Indians to culturally-appropriate health care
2. To increase the enrollment of Tribal Health Care Providers as MHCP Providers
3. To improve tribal staff understanding of and ability to work with DHS
4. To partner with tribes to access increased federal participation for health care services to Tribal members living outside reservations
5. To increase services reimbursed by Medicaid in order to free up IHS funding for non-medicaid-eligible American Indians.

Lead DHS staff: (**Sandy Burge** 651-431-2192); **Kathy Vanderwall** 651-431-2186)

### **FAMILY AND CHILDREN SERVICES:**

1. Reduce disparities in outcomes in **MFIP** for American Indian participants by:
  - a) recommending policies/strategies that will reduce the disparities of AI's on MFIP;
  - b) identify barriers to work and education;
  - c) identify support services necessary to assist the MFIP client and family;
  - d) identify resources that are available to support family self-sufficiency,
  - e) assisting in the development of collaborative structures within the tribal community, as well as among the tribe and county/state.
2. Support and evaluate the Red Lake Integrated Service Project (ISP);
3. Support tribal efforts to establish their own child support IV-D programs.

Lead DHS Staff: **Jim Olson** (651 296-4479), MFIP Employment Services;

**Joan Truhler** (651 297-5385), Integrated Services Project and

**James Donehower** (651-296-8806), Child Support.

4. Reduce disparities in outcomes for American Indian children in the **Child Welfare system** by:

- a) working with tribes to enhance tribal capacity to deliver the full range of child welfare services under the American Indian Child Welfare Project;
- b) engaging tribes and Indian families in the Minnesota Permanency Project
- c) Developing Tribal-State IV-E Agreements for the purpose of tapping into federal funds to pay for child welfare related services, including Foster Care



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Maintenance, Administrative and Training Costs.

- d) Amending the current Tribal State Agreement on ICWA to promote better practice,
- e) develop training and technical assistance plan for Local Social Service Agencies (LSSA's) and State courts to improve their understanding of and compliance with the protections required by the Indian Child Welfare Act.

Lead staff: **Erin Sullivan-Sutton** 651-296-2487, Child Welfare; **Terri Yellowhammer**, 651 282-6490, Indian Child Welfare; **Jean Thompson** 651-297-5516, **Virginia Strand** 651 297-7186), Community Partnerships Division; **Kris Johnson** 651-297-2711, AI Title IV-E; **John Hanna**, 651-296-3972; MN Permanency Project

#### **CHEMICAL AND MENTAL HEALTH:**

- 1. To reduce the incidence of Chemical Health related problems within the AI community by collaborating with the tribal community in the development of a local infrastructure with the capacity to provide a full continuum of culturally specific care, as well as age and gender specific issues facing American Indians.

Lead Staff: **Don Eubanks** 651-431-2457; **Denise Lindquist** 651-431-2461, **Cynthia Madigan** 651-431-2475, **Betty Poitra** 651-431-2477

- 2. To reduce the incidence of Mental Health related problems within the AI community by assisting in the development of a local infrastructure with the capacity to provide a full continuum of culturally specific care, as well as age and gender specific mental health issues facing the American Indian adult or child

Lead staff: **Virginia Selleck**, 651-431-2230

#### **CONTINUING CARE:**

- 1. To make multiple "elder" service options available in a wide variety of settings for all consumers within Tribal Communities, and to support older persons to live independently
  - a) Collaborating on the development of a full continuum of health care services for elderly
  - b) Expanding Home and Community-based services
  - c) Expanding housing with services options
  - d) Increasing access to information for the consumer about programs/services
  - e) Developing reimbursement/financing systems to support elder services
- 2. Continue efforts to meet the special needs persons with disabilities including those who are deaf and hard-of-hearing.

Lead Staff: **Jackie Dionne** 651-431-2608;

#### **FINANCIAL MANAGEMENT:**

Tribal Reimbursement Project: The goal is to work with American Indian health and human service providers to increase revenues that can be drawn down relative to their work. Currently, FMO is working with tribes on two key projects: 1. Indian Child Welfare Time Study and 2. Medical Assistance Tribal Time Study. The ICWA-TS funds allow for supplemental services to be provided. The MATTS funds allow tribes to increase their outreach efforts to individuals that are eligible for Medical Assistance.

Lead Staff: **Deb Larson** 651-284-3837; **Karen Russell**, 651-284-3577)

## **MINNESOTA HISTORICAL SOCIETY INDIAN ADVISORY COMMITTEE**

The Minnesota Historical Society has a standing Indian Advisory Committee. The guidance and input from this important body is critical to the mission of the Society. The purpose of this group is to advise the Society on matters relating to the research, collection, preservation, and interpretation of Minnesota and Minnesota Indian people's history. The Indian Advisory Committee consists of 19 members: one from each of the eleven Ojibwe and Dakota reservation communities in Minnesota, five at-large members, and the Executive Director of the Indian Affairs Council. We also have two honorary members. In order to respect Tribal sovereignty, those members representing reservation communities must be endorsed by their tribal government.

The Minnesota Indian Advisory Committee holds two full meetings a year and a number of sub-committee meetings in the following areas: education, publication, exhibits, collections, and sacred sites. In addition, Society staff regularly attend meetings of the Minnesota Indian Affairs Council.

Highlights from 2005 include:

- The Society worked with the Red Lake Band to bring 15 middle school students to the Twin Cities to conduct research for their History Day Projects. Several students went on to participate in regional and state history day competitions.
- Several staff collaborated with the Red Lake Archive to create an exhibit panel that explores the history of the Red Lake Nation. The final product, which included a number of historic photos, is currently on display in the elementary, middle, and high schools of Red Lake.
- Several units of the Society in cooperation with the Minnesota Indian Affairs Council, the Upper Sioux Community, and the Prairie Island Community hosted two conferences to explore ways to protect sacred sites in Minnesota. One gathering brought together archeologists, developers, tribal leaders, and concerned citizens to discuss ways to work together on behalf of sacred places. The other event, held at Jeffers Petroglyphs, convened a group of spiritual leaders and Elders from a variety of Nations to talk about the protection of burial grounds.

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- The Society secured funding from the Minnesota state legislature to reopen the Lower Sioux Agency Site in Morton. This is important place had been closed for two years due to budget cuts. It will reopen during the summer of 2006 season. To encourage school groups to visit the site, the Society has secured funding to subsidize student transportation.
  - The Minnesota Historical Society Press published 550 Dakota Verbs by Harlan LaFontaine and Neil McKay.
  - The Minnesota Legislature provided the Society with funding to lead a series of teacher workshops focusing on Indian education issues. These sessions will be developed with our Indian Advisory Committee.
  - The Society has worked with the Upper Sioux Community in cosponsoring a regional meeting to explore ways to integrate tribal history into educational and development efforts.
  - The Reference staff has worked with members of the Dakota community to provide better access to resources for researching Dakota genealogy. This collaboration resulted in two print brochures and electronic access to the larger, more detailed handout via the Society's website ([www.mnhs.org](http://www.mnhs.org)).
  - In consultation with the Indian Advisory Committee the Society is updating its policies and procedures related to the Native American Graves Protection and Repatriation Act. In addition, collections staff worked on several repatriation claims with Minnesota Tribal Communities.
  - The Society received a grant from the National Endowment for the Humanities to conduct two weeklong teacher workshops at Fort Snelling. The event, *Fort Snelling: A Contentious Ground*, will bring together 100 teachers from around the country to explore issues related to European-Indian relations, treaty making, forced assimilation, and cultural survival.

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## Minnesota Housing Finance Agency

### Minnesota Housing Finance Agency

#### Indian Housing Report

##### *Financial Update*

The Minnesota Housing Finance Agency (MHFA) was awarded \$2,570,000 by the state legislature for Indian housing during the 2005 session. These funds are available through the Agency's Economic Development and Housing Challenge Fund (EDHCF) and are reserved for Indian housing purposes for an eight month period each year of the biennium. Funds may be used for both single-family and multi-family projects. Tribes and Indian housing developers may access the funds through the Agency's request-for-proposals (RFP) process held twice annually for single-family housing and once annually for multi-family housing. Applicants for funding will be offered technical assistance to aide in the development of program applications that can effectively compete for Agency funding.

During 2005, numerous tribes and non-profit organizations were successful in receiving funding from the Agency in the support of Indian housing developments promoting both single and multi-family housing. Indian projects addressing homelessness were also successful in being funded both on the reservation and in two urban Indian areas of the state. Total project funding, both on and off reservations, for Indian housing in 2005 exceeded \$9 million from Agency resources alone - leveraging many more federal, local and private resources.

In addition to administering the EDHCF, the Agency continues to operate the successful Tribal Indian Housing Program through its three contracted administrators. This program focuses on providing single family home mortgages and home improvement loan opportunities throughout the year. Revolving funds within this program will allow it to be self-sustaining for the foreseeable future. Contracts between MHFA and tribal housing administrators were extended and remain in full force and effect along with all requirements specified in statute, administrative rule and procedural manual.

##### *Community Involvement*

The Minnesota Housing Finance Agency had the opportunity to visit with many of Minnesota's Indian tribes over the past year. Commissioner Tim Marx was the guest of the Upper Sioux Community, White Earth, Red Lake, Leech Lake and Grand Portage tribes. Assistant Commissioner Mike Haley was the guest of Mille Lacs, Red Lake, and the Minnesota Chippewa tribes at Cass Lake throughout the year. During these tribal visits, accomplishments in creating housing were reviewed and discussions were held on future partnerships to maintain existing housing while creating additional units to meet the needs of the communities.

The Agency also joined as sponsors of the 2005 Indian Housing Conference organized with the Indian Affairs Council and numerous other for-profit and not-for-profit entities. The conference, titled "Youth, Tradition & Culture," was held at the Mille Lacs band of Ojibwe Grand Casino Hotel & Conference Center in Onamia, MN. Evaluations revealed that the conference was an overwhelming success with well over 200 attendees from in and around the state.

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## Minnesota Department of Transportation

### Government Affairs Office – Tribal Government Affairs

The Tribal Liaison serves as the Mn/DOT's principle representative to Tribal Governments by providing leadership and direction and ensuring continued involvement and consultation with the Tribal governments with respect to the Federal-Aid Highway and the Federal Lands Highway Programs. The Tribal Liaison is responsible for establishing and promoting effective working relationships among Tribal Governments, Mn/DOT and the US Department of Transportation in the transportation planning, programming, project development and implementation processes

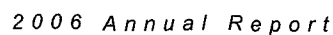
### Highlights of 2005

- 2005 Annual Tribes & Transportation Conference: The 2005 Tribes and Transportation Conference was held at the White Earth Reservation on October 24 & 25, 2005. The annual conferences were planned, coordinated, and presented cooperatively with White Earth Band of Ojibwe, Mn/DOT and Federal Highway Administration.

This year, building on the strength of the last conference featuring transportation planning discussions, the conference's goal was to present a "how-to" conference developing and implementing an integrated long-range planning process. The Statewide Transportation Improvement Plan (STIP) and the Tribal Transportation Improvement Plan (TTIP) have been developed along separate tracks with minimal interaction. The goal of the conference was to lay the groundwork for these processes to be more integrated, while seeking opportunities to work together to optimize our investments in transportation. Representatives from the tribes, cities, counties, state, and federal representatives participated to that end. See full conference report online at: [www.dot.state.mn.us/mntribes/handbook/toc.html](http://www.dot.state.mn.us/mntribes/handbook/toc.html)

- Since the 2004 Tribes & Transportation Conference, two tribes have been partnering with their local Mn/DOT Districts to develop a regional Tribal Transportation Advisory Committee (TTAC). White Earth Band of Ojibwe has officially organized a T-TAC in 2005. The T-TAC was organized to include representatives from local governments who have road authority on or near the White Earth Reservation. These members come together quarterly to share information on transportation projects, access issues, land use planning and other road needs. The purpose of the TTAC is to create opportunities to partner on such issues as; coordinate long range transportation plans, leverage funds for projects, coordinate access and permit issues, economic development opportunities and wetlands management opportunities.

*Minnesota Indian Affairs Council*



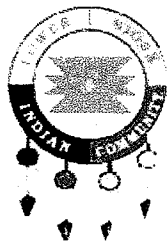
## Description of Minnesota Indian Reservations

### 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 current 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.<sup>1</sup> 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 Reorganization Act (IRA) constitution. The State exercises criminal and some civil

<sup>1</sup> (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.

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 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 virtually non-existent 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



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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.

customers every day.<sup>2</sup> 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 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.

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).

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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.

## **The Anishinabe Communities**

### ***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.

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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 enforcement 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<sup>3</sup>.

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

<sup>3</sup> Hickerson, Chippewa of Lake Superior, pp 77-78.

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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. 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<sup>4</sup>. 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

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<sup>4</sup> 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.

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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 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

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significant knowledge of Indian culture, preferably knowledge of the Grand Portage Band. (Laws of MN for 1989, Chap 359, Subd 27a, Sect 7-11).<sup>5</sup>

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.

### **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<sup>6</sup>.

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 Winnebigoishish. 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.

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<sup>5</sup> Grand Portage State Park, Management Plan, August 12, 1992, Grand Portage State Park Advisory Committee.

<sup>6</sup> Harold Hickerson, *The Chippewa and Their Neighbors, A Study in Ethnohistory*, Prospect Heights, IL: Waveland Press, Inc., 1988, p. 71.



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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 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 three gaming enterprises. The Palace Bingo & Casino in Cass Lake, Northern Lights Gaming Emporium four miles south of Walker and the White Oak Casino in Deer River. 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 archeology 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<sup>7</sup>.

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 Pokegama. 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.

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<sup>8</sup>. In recent years, the band has been seeking to reclaim

<sup>7</sup> (Folwell, Vol. 1, p. 68, 104, 173).

<sup>8</sup> 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.

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

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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.

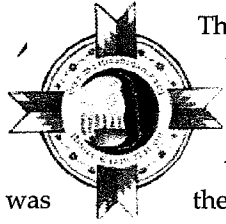
Not only have employment opportunities been provided for tribal members, but the tribe has improved needed infrastructure and built several major new buildings. Using their government status, they obtained tax-free bonds backed by casino revenue to fund several of their major building projects. By 1996 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.

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## 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 Beaulieu. 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 1894 and 1906, enabled the rapid division 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.

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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.

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## **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,

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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 its 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.



