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1996 Annual Report

State of Minnesota Indian Affairs Council



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State of Minnesota
INDIAN AFFAIRS COUNCIL
1996 ANNUAL REPORT

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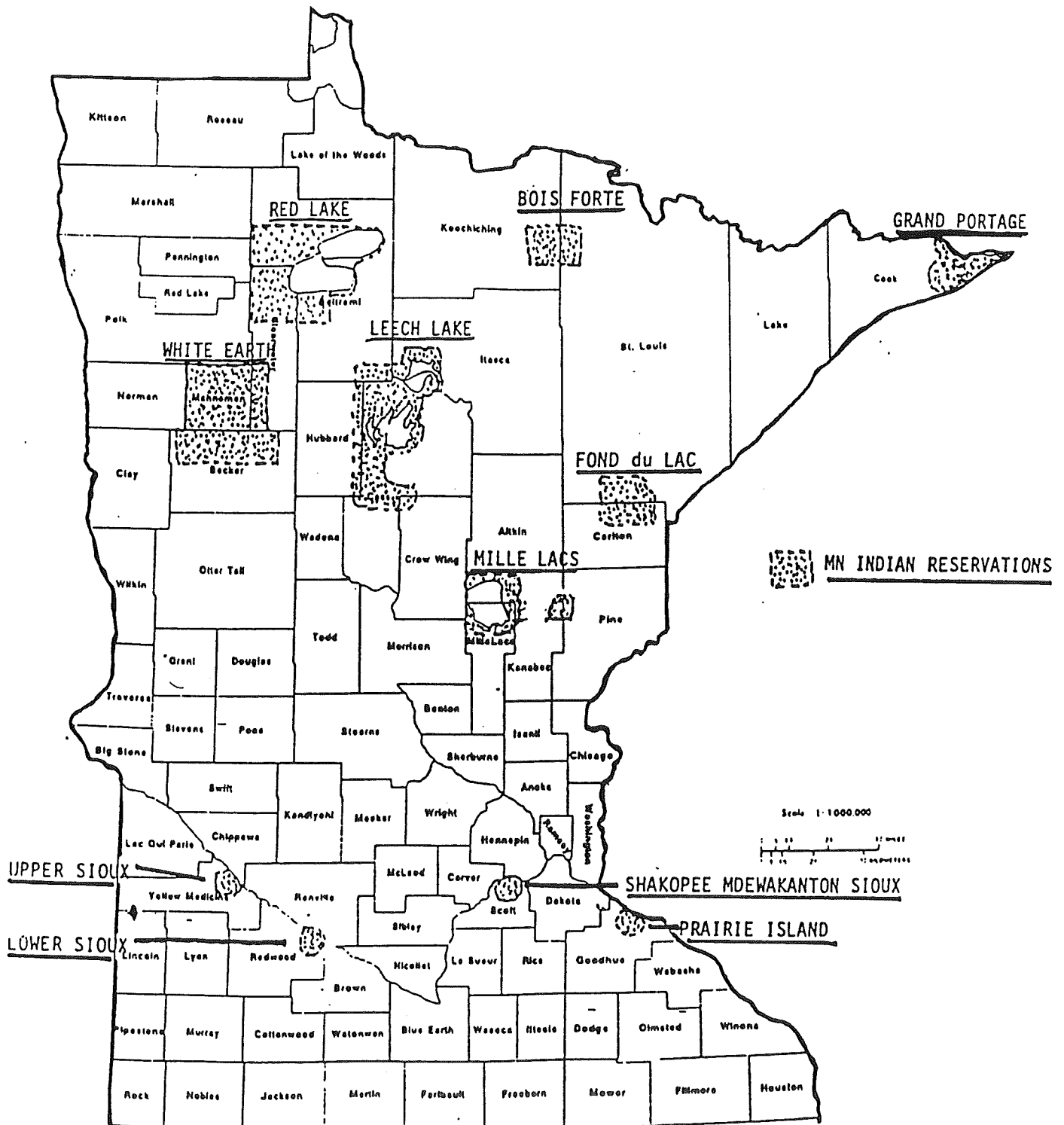
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MAP OF MINNESOTA INDIAN RESERVATIONS



DESCRIPTION OF MINNESOTA INDIAN RESERVATIONS

Minnesota Chippewa (Ojibwa) Reservations

The Minnesota Chippewa (Ojibwa) Tribe is made up of Indian groups formerly described as Mississippi, Pembina, Lake Superior, Pillager and Lake Winnebigoishish bands. In the 1800s and early 1900s, these bands were permanently located in northern Minnesota along the waters of the upper Mississippi River and along the shores of Lake Superior. The Ojibwa reservations are White Earth, Leech Lake, Bois Forte (Nett Lake), Grand Portage, Fond du Lac, and the Mille Lacs Band living in small communities in the Mille Lacs Lake area. The Chippewa bands were followers of hereditary chiefs and they each have a representative type of government.

A revised constitution and bylaws were adopted by the tribe and approved by the U.S. Secretary of Interior on March 3, 1954. The revised constitution required the members of each of the six reservations to elect a Tribal/Reservation Business Committee (T/RBC) composed of a chairman, secretary-treasurer and three committee persons from various districts, to govern and serve the reservation. Each RBC is elected to serve four year terms; staggered elections are held every two years to fill the positions of expired terms.

The Ojibwa Indians of the six reservations also organized as the Minnesota Chippewa Tribes under the Indian Reorganization Act of June 18, 1934. The chairman and secretary-treasurer of each of the Tribal/Reservation Committees form the 12 member Tribal Executive Committee who choose a president, vice president, secretary, and treasurer, and acts as the governing body for the parent organization, the Minnesota Chippewa Tribe. The tribe employs an executive director who maintains an office at the tribal headquarters in Cass Lake, and who serves under the direction of the Tribal Executive Committee.

Bois Forte (Nett Lake) Reservation:

Situated in the northern Minnesota counties of Koochiching and St. Louis, 40 miles south of the Canadian border, with the Tribal headquarters located in Nett Lake, MN 55772. The reservation was established by an 1866 treaty with the U.S. Government and has 30,035 tribally owned acres and 11,744 allotted acres. Its acreage at Vermilion Lake was set aside as the Vermilion Lake Reservation by executive order on December 20, 1881. The Nett Lake area is famous for wild rice which is reserved for the reservation members.

Fond du Lac Reservation:

The reservation is near Cloquet, about 15 miles west of Duluth, in Carlton and St. Louis counties, with tribal headquarters located in Cloquet, MN 55720. Established by U.S. Government treaty in 1854, the reservation has 4,213 tribally owned acres and 17,154 allotted acres. The majority of the land is forest and the balance is classed as agriculture and other types, with a few lakes and streams on the reservation.

Grand Portage Reservation:

Located in the extreme northeast corner of Minnesota in Cook County, its tribal headquarters are located in Grand Portage, MN 55606. The Treaty of 1854 established the reservation which today has 37,390 tribally owned acres and 7,283 allotted acres. Located in one of the most scenic settings on Lake Superior, with the Grand Portage National Monument within its borders.

Leech Lake Reservation:

Located in the north central Minnesota counties of Beltrami, Cass, Hubbard and Itasca with tribal headquarters in Cass Lake, MN 56633. Established by treaty with the U.S. Government in 1855, the reservation has 14,069 tribally owned acres and 12,693 allotted acres. Most of the land within the reservation is also located within the boundaries of the Chippewa National Forest.

Mille Lacs Reservation:

The Reservation is located in the east central counties of Mille Lacs, Aitkin and Pine with tribal headquarters near Onamia, MN 56359; has its own community center, school and clinic. Established by an 1855 treaty the reservation has approximately 3,704 acres.

White Earth Reservation:

Located in the northwestern Minnesota counties of Mahnomen, Becker, and Clearwater, its tribal headquarters are in White Earth, MN 56591. An 1867 treaty with the U.S. Government established the reservation which owns 56,116 acres tribally and allotted land to individual members.

The tribal council owns a fish hatchery, a freeze-dried bait operation, a sawmill, construction business, building supply company, firewood processing company, a garment manufacturing company, and a garage. Its own conservation department, which determines the hunting and fishing seasons as well as regulations regarding its natural resources, reseeding operation and monitors wild rice, the fifth leading economy on the reservation. In 1983, White Earth reservation became the first reservation in the nation to have a congregate housing complex. It has its own Indian Health Service clinic and two Bureau of Indian Affairs contract schools.

Red Lake Reservation:

The Red Lake Reservation is located in the northern Minnesota counties of Beltrami and Clearwater with tribal headquarters in Red Lake, MN. 56671. Unique among the Ojibwa reservations, Red Lake never ceded by treaty to the U.S. and is not part of the Minnesota Chippewa Tribe. The Red Lake Band was the first group to organize in Minnesota under a written constitution in 1918 when a General Council was established as the governing body. Unlike the other Chippewa bands, the Red Lake Band did not accept the Indian Reorganization Act of 1934. Red Lake is a closed reservation and, therefore, was not open to homestead entries and the land has not been allotted to individual Indians.

The tribe owns 636,954 acres. The band also owns scattered tracts of land extending up to the Canadian border including some of the Northwest Angle. The total area is the size of Rhode Island and encloses lower and part of Upper Red Lake, a body of water that is the third largest fresh water lake within the boundaries of the U.S. All land is held communally by the Red Lake Band and is locally governed by an eleven member tribal council elected to four year terms of office. The council is the legislative body of the band and operates under a constitution and by-laws approved by the U.S. Secretary of the Interior and the Bureau of Indian Affairs.

The Red Lake Band have their own tribal court and police force; own and operate their own large mini-mall and trading post, sawmill and a fishery industry; they have reclaimed 9,000 acres of wastelands now suitable for propagation of wild rice, trapping and duck hunting.

Minnesota Sioux (Dakota/Lakota) Reservations

Of the seven tribes of the Sioux nation, four known collectively as the Santee or eastern Sioux remain in Minnesota. The Mdewakanton built their villages along the lower Mississippi and Minnesota rivers, the Wahpeton and Sisseton settled in the upper Minnesota Valley, and the Wahpekute lived a nomadic life along the Cannon, Cedar, and Blue Earth rivers.

The Southern Minnesota Sioux do not have recognized chiefs, hereditary or honorary. The governing body is the Community Council of the Reservation composed of five members who are elected to two year terms by qualified voters of the community. There are four Sioux reservations in Minnesota.

Lower Sioux Reservation:

The Reservation, located in Redwood County, abutting the Minnesota River, two miles south of Morton, MN 56270, its tribal headquarters, came into being during 1887 to 1893 when the U.S. Congress appropriated funds to purchase 623 acres of lands for the landless Minnesota Sioux. The land purchased during this period can only be assigned to those Mdewakanton Sioux who were residing in Minnesota on May 20, 1886 and their descendants. The reservation was organized under the Indian Reorganization Act and under the provisions of that act additional acres of land were purchased. Today the reservation owns 1,743 acres.

Prairie Island Reservation:

Located in Goodhue County on the western bank of the Mississippi River some 14 miles north of Red Wing, with tribal headquarters near Welch, MN 55089; are mainly members of the Mdewankanton Band and are descendants of the Santee Sioux who remained in Minnesota at the time of the removal of the main band to Nebraska after the Sioux uprising.

In 1891 about 120 acres were purchased at Prairie Island for the landless Mdewankanton residing in Minnesota on May 20, 1886. Under the Indian Reorganization Act of 1934 an additional 414 acres were purchased for other Indian residents whose names appeared on the Minnesota Sioux rolls..

Shakopee Mdewakanton Reservation:

The Shakopee-Mdewakanton Reservation known as the Prior Lake Reservation until its organization under the Indian Reorganization Act on November 28, 1969, is located entirely within the city limits of Prior Lake, in Carver County with its Tribal headquarters in Prior Lake, MN 55372 Its history parallels that of the other Minnesota Sioux as to organization and settlement. The tribe owns 258 acres, the majority of which is cleared as agricultural land and the balance is timber, brush and other types.

Upper Sioux Reservation:

The Reservation tribal headquarters is located five miles south of Granite Falls, MN 56241, on the Minnesota River in Yellow Medicine County. The Upper Sioux community came into being about the same time as the other Minnesota Sioux communities. Land purchases amounting to 746 acres were made in 1938, but the Upper Sioux Community did not complete organization under the Indian Reorganization Act.

The Bureau of Indian Affairs set up a Board of Trustees to advise the agency superintendent on the use of rehabilitation funds. This group operates under a document entitled Provisions for Governing the Upper Sioux Community. The governing body is known as the Upper Sioux Community Board of Trustees, consisting of five members elected every four years who represent the community when negotiating with federal, state, and local governments.

INDIAN AFFAIRS COUNCIL - 1996 REPORT

MISSION:

The mission of the Indian Affairs Council is to protect the sovereignty of the eleven Minnesota Tribes and the well-being of American Indian people throughout the state of Minnesota.

The Indian Affairs Council (IAC) is the official liaison between the State of Minnesota government and Minnesota Indian tribal governments. The council is also advisor to the state on issues and concerns that impact American Indians, including programs that effect Indians living in urban environments.

The Council was created by the Legislature in 1963: amendments to the Council's enabling legislation in 1965, 1967 and 1976 transformed the Council's structure to acknowledge the State's Indian nations as governments with distinct governmental powers as well as providing Indian citizens of the state with a mechanism for enhancing their participation in state government. The mission of the IAC, as mandated in statute (M.S. 3.922), is broad in scope but focused in its total support of tribal government operations and the continued identification of issues and concerns that impact the American Indian population throughout the state. These issues include the areas of health, education, welfare and other public support, housing, economic development, protection of the environment, and protection of tribal rights.

The IAC is governed by the elected tribal chair of the eleven reservations throughout the state, and two at large members representing Indians who live in Minnesota but are enrolled in other states: these at-large representatives are elected by federally recognized tribal members from other states who are residents of Minnesota.. The IAC also has an Urban Indian Advisory Council (UIAC). The UIAC consists of two representatives from Minneapolis, two representatives from St. Paul, and one representative from Duluth. The UIAC brings issues and concerns of the urban Indian population to the attention of the Indian Affairs Board.

The ex-officio members of the IAC include the Governor or a member of the governor's official staff, and the Commissioner's of: Children, Families and Learning; Human Services; Natural Resources; Human Rights; Trade & Economic Development; Corrections; Minnesota Housing Finance Agency; Iron Range Resources and Rehabilitation Board; Health; three members of the House of Representatives appointed by the Speaker, the three members of the Senate appointed by its Subcommittee on Committees.

The IAC serves as the primary forum where Indian needs are considered and serves as the conduit by which issues and concerns are directed to the appropriate authorities; also serves as an intermediary when questions, problems or conflicts exist or arise and brings about change where needed. The agency, acting under direct advisement of the elected representatives, addresses its mission through a variety of activities which include: research, policy and resource development, technical assistance, introduction of legislative initiatives, and provides direct program and fiscal management for other organizations when necessary.

Indian Affairs Council Staff

Bemidji Office - Headquarters

Joseph B. Day, Executive Director
Theresa Wilson, Loan Officer
Jim Jones, Jr., Cultural Resource Specialist
Katherine Pemberton, Econ Opp Spec. 3
Clerk Typist I - Vacant

St. Paul Office: Financial, Legislative & Special Programs

Sharon Romano, Staff Assistant
Charlotte White, Executive Assistant
Lucretia Klenk, Clerk Typist 3

INDIAN AFFAIRS COUNCIL MEMBERS

Executive Board:

Chair: Robert Peacock, Chair of Fond du Lac
Vice Chair: Dallas Ross, Chair of Upper Sioux
Secretary: Loretta Gagnon, At-Large
Treasurer: Paula J. Claymore, At-large

Council Members

Clint Landgren, Chair of Bois Forte
Norman Dechampe, Chair of Grand Portage
Eli Hunt, Chair of Leech Lake
Curtis Campbell, Sr., Chair of Prairie Island
Roger Prescott, Chair of Lower Sioux
Marge Anderson, Chair of Mille Lacs
Bobby Whitefeather, Chair of Red Lake
Stanley Crooks, Sr., Chair of Shakopee- Mdewakanton
Eugene McArthur, Chair of White Earth

Urban Indian Advisory Council

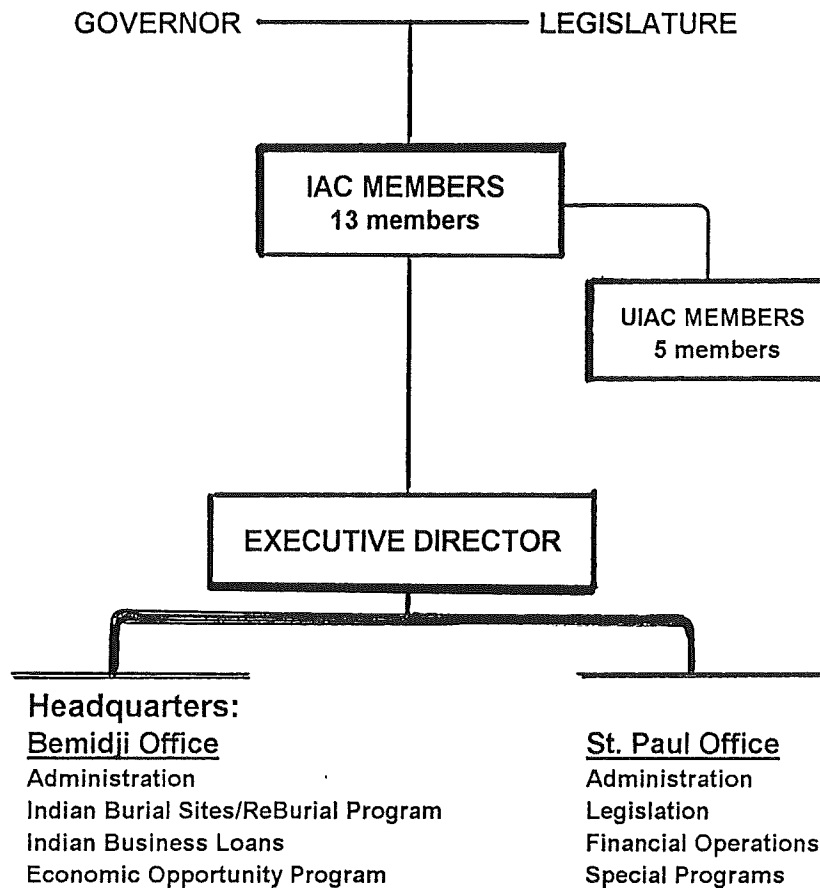
Chair: Valerie Sheehan, Minneapolis
Vice Chair: Nora Hakala, Duluth
Roy James Roberts, Member, Minneapolis
Barbara Brisceno, Member, St. Paul
Vacant - Member, St. Paul

Ex-Officio Members

Governor Arne Carlson
Senator Cal Larson, Fergus Falls
Representative Karen Clark, Minneapolis
Senator Jane Ranum, Minneapolis
Representative Tom Hackbarth, Cedar
Senator Sandy Pappas, St. Paul
Representative Bob Johnson, Bemidji
Grothriel LaFluer, Commissioner of Corrections
Bob Wedl, Commissioner of Children, Families & Learning
Anne Barry, Commissioner of Health
John Petraborg, Commissioner of Human Services
Katherine Hadley, Commissioner of Housing Finance Agency
Rodney Sando, Commissioner of Natural Resources
Jim Gustafson, Commissioner of Iron Range Resources & Rehab. Board
Delores Fridge, Commissioner of Human Rights

ORGANIZATIONAL CHART

MN INDIAN AFFAIRS COUNCIL 1996



DUTIES OF THE INDIAN AFFAIRS COUNCIL

The council shall:

- 1). clarify for the legislature and state agencies the nature of tribal governments and the relationship of tribal governments to the Indian people of Minnesota;
- 2). assist the Secretary of State in establishing an election for at-large members of the council;
- 3). make recommendations to members of the legislature on desired and needed legislation to benefit the statewide Indian community and communicate to the members of the legislature when legislation has or will have an adverse effect on the statewide Indian population;
- 4). provide, through the elected apparatus of the council, an effective conduit to the legislature for programs, proposals, and projects submitted by tribal governments, organizations, committees, groups or individuals that will have an effect on Indians in the state;
- 5). provide a continuing dialogue with members of the tribal governments to enhance their knowledge of the legislative process, state agencies, and governmental due process;
- 6). assist in establishing Indian advisory councils in cooperation with state agencies that deliver services to the Indian community;
- 7). assist state agencies in defining what groups, organizations, committees, councils, or individuals are eligible for delivery of their respective services;
- 8). assist in developing resources, tribal and other, in the delivery of services to the statewide Indian community;
- 9). act as a liaison between local, state, and national units of government in the delivery of services to the Indian population;
- 10). assist state agencies in implementing and updating studies of services to the statewide Indian population;
- 11). develop and maintain a continuing liaison between governmental bodies and elected tribal governments and officials which will benefit all levels of state government;
- 12). interact with private organizations involved with Indian concerns to develop and implement programs to assist Indian people, as they affect state agencies and departments;
- 13). act as an intermediary, when requested and if necessary, between Indian interests and state agencies and departments when questions, problems, or conflicts exist or arise;
- 14). provide information and direction to programs that will assist Indian citizens to assume all the rights, privileges, and duties of citizenship, and to coordinate and cooperate with local, state, and national private agencies providing services to Indian people;
- 15). cooperate and consult with appropriate commissioners and agencies to develop plans and programs to most effectively serve the needs of Indians throughout the state.

AGENCY DESCRIPTION

The Mn Indian Affairs Council (MIAC), as the official liaison between the state and tribal governments, clarifies the nature of tribal governments and the relationship of tribal governments to the Indian people in MN; is the continuing liaison for all governmental bodies and duly elected tribal governments and officials; advisor to the State on urban Indian issues and concerns; responsible for investigation, authentication and protection of Indian burial sites; and in cooperation with the state Archaeologist's office, is responsible for the protection and reburial of Indian remains.

The MIAC (Council) makes recommendations relating to legislation that will benefit the statewide Indian population; and is often called upon to act as liaison between state, local and national units of government in the delivery of services to the Indian population of Minnesota and also enters into Inter-agency agreements with other state agencies to develop activities or programs that will benefit the Indian community in areas not now being addressed..

The Council is authorized to employ an Executive Director and additional staff necessary to carry out its duties as mandated in M.S. 3.922: there are five (5) staff positions allocated to the Bemidji office and three (3) staff positions in the St. Paul office.

The Bemidji office is the Headquarters of the Indian Affairs Council because of its central location between several large northern reservations. The Bemidji office administers the agency's direct program responsibilities which include the 1) Indian Business Loan Program; 2) Indian Burial/cemeteries Authentication Program; 3) and the Indian Re-burial Program. The Council has an Interagency Agreement with the Department of Economic Security/Economic Opportunity Office to provide information, technical assistance and administrative support to local grantees including Indian reservations so as to strengthen their statewide community action programs.

The St. Paul office is responsible for providing services to the Twin Cities and Duluth metro Indian communities as well as the four southern Minnesota Sioux Tribes. The St. Paul office assists in the Council's legislative planning, research, financial and administrative functions. The administrative activities involve close contact with the Departments of Finance, Employee Relations, Administration and the Attorney General's office.

Staff of the Council also assists state agencies with the design and implementation of special programs targeted specifically for American Indians. Historically, a great many of these programs are administered by the Departments of Human Services, Education, Corrections and MN Housing Finance Agency: MIAC input clarifies the nature and scope of tribal governments and defines the needs of reservation and urban residents of the state, and is oftentimes the deciding factor on funding decisions.

The Council prepares an annual report to the Governor and the Legislature on its activities, findings, and its recommendations; the report is due by November 15th of each year and copies of the report are made available to state agencies, tribal governments, and other interested parties.

Minnesota has long been considered one of the most progressive states in the nation relative to initiating programs that have far reaching effects, not only on American Indians in other states, but the nation as a whole. (See Summaries of Minnesota Statutes)

DEMOGRAPHICS

The state of Minnesota has the twelfth largest American Indian population in the country. According to the 1990 census, the Minnesota American Indian population was 49,909; this data shows a 36.6% percent increase since 1980. Minnesota's American Indian population has grown faster than the United States average and faster than other Upper Midwest states.

Approximately one third of Minnesota's American Indian population live in the central cities of Minneapolis and St. Paul with approximately 15% living in the Twin Cities suburbs. The reservations census count indicated that 12,402 American Indians are living on reservations. This represented a 25% increase from the 1980 census for American Indians residing on the reservation.

The Bureau of Indian Affairs (BIA) most current Labor Force report (1993), shows a decided increase in all reservation populations (NOTE: the 1995 report was not available at printing).

AMERICAN INDIAN POPULATION ON RESERVATIONS: 1980 - 1990 - 1993

<u>Reservations</u>	<u>1980*</u>	<u>1990*</u>	<u>1993 **</u>
Bois Forte	392	346	1,926
Fond du Lac	514	1,106	2,922
Grand Portage	187	207	330
Leech Lake	2,759	3,390	5,771
Lower Sioux	65	225	266
Mille Lacs	293	428	1,151
Prairie Island	80	56	176
Red Lake	2,823	3,602	5,087
Shakopee-Mdewak	77	153	230
Upper Sioux	51	43	169
Vermilion Lake	103	87	not listed
White Earth	<u>2,554</u>	<u>2,759</u>	<u>4,395</u>
Total	9,898	12,402	22,193

*Source: U.S. Census

**Source: Bureau of Indian Affairs Labor Force Report

COUNTIES WITH AMERICAN INDIAN POPULATION of 1,000 or More - 1990 Census

	<u>1980</u>	<u>1990</u>
Hennepin	10,479	14,912
Beltrami	3,917	5,641
Ramsey	2,993	4,509
St. Louis	2,815	3,682
Cass	1,895	2,373
Anoka	1,112	1,865
Carlton	818	1,297
Mahnomen	<u>1,003</u>	<u>1,193</u>
Total	25,032	35,472

United States Resident Population Census
Total American Indians and Alaska Natives

<u>Year</u>	<u>Total</u>
1980	1,420,000
1990	2,065,000
1991	2,107,000
1992	2,142,000
1993	2,177,000
1994	2,210,000
1995	2,226,000
<u>Projected*</u>	
2000	2,380,000
2005	2,543,000
2010	2,719,000
2015	2,904,000
2020	3,090,000
2025	3,278,000
2050	4,346,000

* 1995 Statical Abstract of the United States, based on "Middle Series Projections".

"Profiles of Change: Communities of Color in the Twin Cities area" report of 1993 by the Urban Coalition, found that communities of color have nearly doubled in the TWIN CITIES Metropolitan area from 1980 to 1990, with an increasing share of this population residing in suburban communities. In addition, Minnesota State Planning report "A Plan of Action State of Diversity" published in 1993 indicate that people of color represent 6.3% of the state's total population. It is estimated that by the year 2020, 25 percent (25%) of the state's population will be people of color. American Indian concentrations in non-metropolitan areas constitute the largest proportion of minorities in northern Minnesota.

The demographic overview of American Indians in Minnesota affects the development of policy for Indians in the state. Policy is also affected by the unique political relationships that govern the lives of American Indians. No other group in the United States is governed and regulated by over 10,000 treaties, agreements and court decisions.

POLICY ISSUES:

The Mn Indian Affairs Council (MIAC): makes recommendations on legislation that will benefit the statewide Indian population; is the official liaison between the state and tribal governments; clarifying for the Legislature, the nature of tribal governments and their relationship to the Indian people in MN; is the continuing liaison for all governmental bodies and duly elected tribal governments and state officials; is advisor to the State on urban Indian issues and concerns; responsible for investigation, authentication and protection of Indian burial sites; and in cooperation with the state Archaeologist's office, is responsible for the protection and reburial of Indian remains. The Indian Affairs Council is often called upon to act as liaison between state, local and national units of government in the delivery of services to the Indian population of Minnesota.

Through treaties, agreements and court decisions, tribes have retained their authority to regulate reservation activities and the conduct of their tribal members. Indian tribes have the power to make their own laws governing internal matters and to enforce them in their own courts. These powers are the same general powers that the federal and state government use to regulate their internal affairs.

This government to government relationship is recognized by the state in entering into agreements with tribal governments and therefore becomes the major policy driver for policy formation and development of legislative initiatives specifically identified for Indian tribes and their members. 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."

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

The development of state policy and Indian affairs provides a unique relationship in areas which are dominated by federal regulations. 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 provide Indians with distinct and preferential treatment. This preferential treatment is based on the unique political status of Indians as provided for in 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 Indian people is a primary objective of the Minnesota Indian Affairs Council.

SOCIAL INDICATORS

The social indicators of the American Indian population in Minnesota continue to affirm a downward trend. Studies published in recent years show that among all communities of color in the state, American Indians fared very poorly, primarily in the areas of housing, employment, education, and health.

The misconceptions and lack of understanding of tribal structures, held by individuals, organizations and the general public, is that since the introduction of Casinos into reservations in the state; all Indians are getting alot of money every month and therefore do not need any further programs. This information is not based on fact; a study of small reservations, where enrollments are not more than 100-200, indicate how they are able to provide monthly dividends to their enrolled members, whereas most reservations, with thousands of enrolled members, can only use the profits generated by casinos, to maintain, install or improve many of the services that the general public takes for granted.

Health

1990 studies indicate that American Indians had the highest reported number of teen pregnancies born to mothers under 19 years of age. The infant mortality rate for American Indians was 12% compared to the overall population rate of 7.3%. The average life expectancy was 66.2 years for American Indian males compared to 72.6 years for whites. American Indian females average life expectancy is 74.5 compared to 80.3 for white females.

Poverty

In 1989/90, 43.7% of the American Indian population was in poverty, compared to 30.9% of the U.S. American Indian population. In 1990, **12% of all children living in the state of Minnesota** lived in poverty. 55% of all American Indian children in the state lives in poverty, compared to 50% of African American children, 31.7% of Asian/Pacific children, and 25.6% of Hispanic children. Most American Indians in Minnesota have less than half the income of white households.

U.S. Census data also indicates that Minnesota's Indian people are worse off than minorities living elsewhere in the nation. The median income of Indians in Minnesota is \$16,983 compared to \$34,466 for white residents. The poverty rate among Indians is 43.7% and 8.7% for whites. The employment rate for Indians is 49.3% versus 73.3% for whites. High school graduation rates stand at 68.2% for Indians, 82.8% for whites. These divergent statistics prompted the Minneapolis Star-Tribune to report in their July 24, 1992 issue that "... by the measures of poverty, income, employment and education, American Indians lagged behind every other racial group living in the state".

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

However, as one might expect, greater local control has been accompanied by a reduction in federal domestic per capita outlays for Indians relative to overall federal per capita expenditures. In 1975, federal Indian per capita expenditure was \$1,882 compared to an overall per capita expenditure of \$1,031. In 1992, federal Indian per capita expenditure was \$2,530 versus an overall per capita expenditure of \$3,710 (based on total federal non-defense budget outlays).

Current development in federal domestic fiscal policies are increasing this disparity, denying tribal communities the funding they need to overcome the centuries of deprivation, poverty and neglect that has left them the poorest of the poor. As a result, success in alleviating poverty and meeting health, education and economic opportunity needs of Minnesota's Indian people will depend more and more upon state and tribal cooperation and collaboration in these areas.

Families

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

Violence

According to 1990 statistics: 1) the percentage of violent injury and death for children and youth was 30%; and 2) from ages 0-19, the percentage of all deaths that are violent or injury related include unintentional injuries, homicides and suicides. American Indians between the ages of 1-4 are four (4X) times as likely to die of accidents than whites; between the ages of 5-14, they are 2.3 times as likely to die of accidents than whites; and between the ages of 15-24 are 8 times more likely to die from homicide than whites. In 1990, American Indians died at the rate of 46 per 100,000 residents as compared to 1.7 per 100,000 for whites. Hospital and police records indicate that the above numbers will increase as more and more organizations and health officials become aware of their reporting responsibility when violence is involved.

Crime

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

Employment

The 1990 state unemployment rate was 4.8% compared to the United States unemployment rate of 5.5%. The five highest areas of unemployment in the state by region includes the Northwest (7.9%), Headwaters (7.6%), Arrowhead(6.65), Region 5 (7.8),and East Central(7.5%) areas of the state. The unemployment for communities of color in 1990 was over 15%. American Indian males(22%) and females (16%) have the highest unemployment rate for all races. In 1980, the percent of American Indians living below the poverty line was 30.1% This compared to 8.9% for whites, 26.6% for African Americans, 25.6% for Asians and 18.2% for Hispanics.

The State of Minnesota employs more than 39,000 people, and approximately 5% of that number, represent African Americans, American Indians, Asian Pacific Islanders, and the Hispanic populations.

Education

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

Other Issues:

The Indian Affairs Council continues to participate in those issues which affect Indian people on a state wide basis; areas of gravest concern are those relating to human rights, targeted health issues such as services to the aged, homeless, HIV/AIDS information, prevention and service, teenage pregnancy, smoking cessation, violence and alcohol and drug abuse.

HIV/AIDS Prevention

HIV/AIDS information and prevention continues as a special program effort. The number of cases of HIV/AIDS cases continues to grow. June, 1992 data indicated that there were 388 American Indian AIDS cases in the United States. 1995 statistics show that there are 2,615 AIDS (including 1,586 deaths); and 2,129 cases of HIV (non-AIDS) in Minnesota; of that number, 64 HIV cases and 40 AIDS cases relate to American Indians. The Indian Affairs Council will continue to encourage and be involved in HIV/AIDS prevention programs.

Chemical Dependency

Chemical dependency is not only an on-going concern of the Mn Indian Affairs Council, but the nation as a whole. The Chemical Dependency Program Division within the state, communicates with our agency on needs and legislative action and has again contracted with our agency to act as a conduit for projects targeted specifically to establishing programs or systems which could be interwoven, when necessary, with other on-going programs in order to provide a stable base which will encourage and maintain complete recovery from chemical and drug abuse. Support, involvement and implementation of special projects will greatly affect the mental and economic stability of the family unit as a whole.

INDIAN AFFAIRS COUNCIL - SPECIFIC PROGRAMS

The Indian Affairs Council is directly responsible for programming efforts that include the areas of: Indian burial, Re-burial, Indian Business Loans, Indian Economic Opportunity Programs and Special Projects administered by this agency. The following provides an overview of those program efforts for fiscal year 1996.

Indian Burial/Re-Burial Cultural Resource Program

The state government of Minnesota, through the Indian Affairs Council, monitors the laws that protect Indian burial remains and those possessions that accompany an Indian burial. Indian burial remains are protected under the "Private Cemeteries Act and Indian Burial law" (M.S. 307.08). Any willful removal of such remains is a felony.

The Indian Affairs Council works with the Office of the State Archaeologist in carrying out the provisions of Mn. Stat. 307.08; those responsibilities include; rescue, identification, protection and re-burial of human remains. The Council also reviews State Archaeological License applications required to conduct field work for various projects within the state; 183 licenses have been assessed and issued and 491 projects reviewed during the year.

The Council enters into a yearly contract with Hamline University, Osteology Laboratory, for collaboration in the identification and authentication of human remains and burial sites. The Council is responsible for the re-burial of Indian remains found in Minnesota; which they perform under the guidance of traditional and spiritual advisors who maintain the dignity and integrity of each burial in accordance with Indian religion and culture. During the year 75 burial sites were investigated/authenticated.

Minnesota Native American Reburial Project (MNARP)

Federal Native American Graves Protection and Repatriation Act (NAGPRA)

MNARP began in Fiscal Year 1991, with special legislative funding to the Minnesota Indian Affairs Council. The purpose of the project was four-fold: 1) to identify American Indian human remains existing in the collections of various institutions in the State; 2) to create an inventory and data base of all available information (reports, notes, references, sites, etc.) regarding American Indian human remains and associated burial items previously exhumed in the State; 3) identify individuals and prepare the human remains and burial items for Reburial; and 4) arrange Reburial ceremonies.

Minnesota has been the repository for a number of Indian tribes passing through or settling here for a time. The Indian Affairs Council has initiated a very comprehensive program for Reburial of human remains of American Indian people that have been unearthed in the past and stored in various institutions throughout the State. The first objective was the development of an inventory of the remains to properly establish tribal identification. Priorities for Reburial were established as well as securing the various burial sites. The intent of the reburials is to address issues of identification in the most expeditious manner so that the remains are re-interred as soon as possible to their appropriate locations.

The Council works with the archaeological and anthropology scientific communities in an effort to identify these remains and return them to the proper Indian communities, for Reburial. The Council works with spiritual people in sensitizing other agencies and organizations in the proper way to handle remains and possessions which show respect for the deceased. The Council has requested the release of 2,500 Indian remains from the University of Minnesota and 68 individual remains from the Science Museum of Minnesota for the purposes of Reburial. Our goal is to re-bury those remains that have been stored on shelves, boxes and on display in museums in as respectful and dignified a manner as possible.

Before the Minnesota Indian Re-burial project was undertaken in 1991, 157 individual remains had been re-buried during the years 1978 through 1989. In the years the project has been in force, more than 1,000 individual Indian remains have been identified and have been reburied. Nearly 30 new cases of human remains representing nearly 50 individuals are investigated each year through funding provided by the council's budget; these include burials recently and accidentally disturbed; and human remains that have been in the possession of private citizens, museums and county historical societies. The Council protects both existing recorded sites and cooperates to test for unrecorded and/or suspected sites so they can be recorded and protected as they are found.

The Minnesota Historical Society, Department of Transportation and the Department of Natural Resources have been cooperative in assisting with the provisions of Mn. Stat. 307.08. Our agency has also worked in cooperation with federal agencies such as the U.S. Army Corp. of Engineers, U.S. Forest Service and U.S. Bureau of Indian Affairs in the active protection of cemeteries and archaeological sites in Minnesota.

Some of the other agencies the Council has worked with during the year on Indian remains/sites were: State Historic Preservation Office (SHPO), Minnesota Forest Resources Council (MFRC), County Historical Societies, Cultural Resource Management firms, Tribal Historic Preservation Office (THPO), U of M. Wilford Archaeology Laboratory and Tribal Communities.

The Federal Law "Native American Graves Protection and Repatriations Act" (NAGPRA), Public Law 101.601; will help enforce the Indian Affairs Council's responsibilities to protect Minnesota Indian burial sites and return Indian human remains and burial goods to their rightful tribal affiliations. The purpose of this new federal law is to return certain objects to tribes which should never have left those tribes. These four (4) categories include: 1) human remains and associated grave goods; 2) unassociated funerary objects; 3) sacred objects that could be used by traditional religious practitioners; and 4) objects of cultural patrimony (i.e. wampum belts, etc.). These efforts to return Indian materials to their proper Indian tribes will be coordinated with the Minnesota Historical Society (MHS) which, when they hold objects that they believe are Ojibway/Dakota, will notify tribes so they can identify them. If a tribe/band has no adequate storage facilities, MHS will curate for them, as they have areas where tribal people can come to use these objects at their discretion.

Because of the Federal Law (NAGPRA), Minnesota's large-scale Reburial of Indian remains has been currently halted to focus efforts toward completing the required Federal inventory of all human remains currently held by the Minnesota Indian Affairs Council and contacting probable descendant populations. MIAC submitted a proposal to the U.S. Department of the Interior, National Park Service, for \$72,000 to complete the responsibilities mandated by NAGPRA. The grant has been approved and the funds are to be received by the MIAC in November, 1996; to complete inventory of the remains of 1,100 individuals.

The primary focus of the Indian Affairs Council will be to inform and educate the public about the law, proper handling and protection of Indian remains and proper procedures to follow when sites are accidentally uncovered or discovered.

The following pages contain a summary of reburials and number of individuals reburied during the past five (5) years (FY91-FY95). During the project, a total of 876-911 individuals have been reburied. An additional 36-95 individuals are scheduled for reinterment. Revisions to the Private Cemeteries Act in 1978 mandated equal treatment of all human remains in Minnesota. The American Indians reburied to date represents a significant accomplishment of the MNARP.

Plans for next year include completing NAGPRA requirements including the inventory/data base, determination of cultural affiliation when possible, notification of Tribes and transfer of remains to the appropriate individuals, tribal organizations or institutions.

Total Remains Reburied Since Implementation of the
Minnesota Native American Reburial Project

DATE (mm/da/yr)	SITE(S) REBURIED	NO. OF INDIVIDUALS	REBURIAL LOCATION
8/21/90	Hogback Site (21HU01)	12	Redwing Cemetery
9/27/90	Misc. sites, curated at Hamline University	63	Mounds Park in St. Paul
10/8/90	Misc. sites, curated at Hamline University	27	Itasca State Park
10/31/90	Brown Co.	1	Private property; original place of burial
8/9/91	Fort McClellan Individual	1	Morton, MN
9/5/91	Smith Site (21KC03) McKinstry Site (21KC02)	350	Smith Mound 4, at Grand Mound Interpretive Park, International Falls
10/24/91	Misc. sites, curated at Hamline University	9	Lake Shetek State Park
10/24/91	Meeker county; remains accidentally disturbed	1	Privately owned property in Meeker county
6/15/92	Stumne Mounds (21PN05) Vach I (21PN08) Winter's (21PN17)	23-29	Stumne Mound 6 (21PN05)
6/29/92	Misc. sites in Beltrami county	12	Lake Andrusia Cemetery
10/21/92	Schocker (21BL01)	22-27	Lake Andrusia Cemetery

10/21/92	White Oak Pt. Mds. 1 & 4 (21IC01)	95	Schoolcraft State Park
6/17/93	Misc. sites, curated at Hamline University	16	Redwing Cemetery
6/17/93	Site near Marine- on-St. Croix	5	Privately owned property near Marine-on-St. Croix
6/29/93	Osufsen Mound (21IC02)	94	Schoolcraft State Park
summer, 1993	Misc. sites curated at Hamline University	3	Lake Andrusia
10/14/93	Orwell (21OT 7)	24	Maplewood State Park
10/14/93	Misc. sites curated at Hamline University	6	Maplewood State Park
10/28/93	Kolander Site	25-31	Talcot Lake Wildlife Area
6/21/95	Rooney Mound (21PO13)	18-20	Sibley State Park
6/27/95	New London (21KH101)	2	New London - Private Residence
7/19/95	Christensen Mound (21SH01)	50-60	Sand Dunes State Forest, Ann Lake Campground
7/20/95	Fort Sweney (21GD86)	6-8	Redwing Cemetery
7/21/95	Albert Lea Lake (21FE01)	12	Myre - Big Island State Park

* Total number of individuals reburied since beginning of MNARP is between 876 and 911.

** An additional 157 individuals were reburied prior to the first fiscal year of MNARP (1990/91)

Human Remains Identified and Inventoried during FY 1996

Site Name (site #)	Minimum Number	Site Description
Saienga (21CP02)	8-10	Mounds overlooking Minnesota River
Unnamed (21HE--)	12	Mound, Lake Minnetonka area (?)
Eck (21HE02)	27-28	Mounds and burial area on North bank of the Minnesota River
Hogback (21HU01)	55	Cemetery area
H243 (21OT110)	1	Isolated (?) burial on NE shore of Otter Tail Lake
White Earth Reservation (U of MN Acc. #0089)	1	Unprovenienced
Kemnitz (21RN14)	1	Historic burial located on bluff overlooking the Minnesota River
TOTAL	108	

The activities reported for FY 1996 involve the osteological identification of human remains being prepared for reburiall, receipt of recently disturbed or acquired human remains, and commencement of the inventory and identification process as required under the Federal law P.L. 101-601, Native American Graves Protection and Repatriation Act (NAGPRA).

Indian Business Loan Program

The Indian Business Loan Program, administered by the Indian Affairs Council, provides Minnesota-based Indians with the opportunity to obtain a portion of the financial resources needed to establish or expand a business in Minnesota.

Funds for this revolving Loan program come from twenty percent (20%) of the Severed Mineral Rights taxes that are collected by counties each year (the other 80% stays within the county). This dedicated 20% amounts to .08 cents per acre, and is deposited into a special revenue fund for Indian Business Loans. The total tax amount deposited into the fund averages approximately \$100,000 per year; this total, less administrative costs, is distributed among the eleven (11) Indian reservations in the state. The loan amounts available to each individual tribe is allocated based on percentages agreed upon by all the tribal councils.

These Loan funds are administered by the Indian Affairs Council. When an eligible Indian applies for a business loan, the application is forwarded to the Indian Affairs Council for review of appropriate documentation. If all information is present, the application is sent to the appropriate tribal council where applicant is enrolled; the tribal council then makes a prudent decision on whether to approve or reject the application. If the loan is approved, the application is returned to the Indian Affairs Council for completion of the loan process. Most reservations will fund up to 25% of the total project cost and applicants must have at least 5-20% equity to inject into the project. Other financing must be approved and in place before funds are disbursed under this program. Regular financial information is required, such as balance sheets, income and expense projections, cash flow statements and a good business plan which must show a reasonable chance for success.

The law requires that a reasonable portion of the funds allocated to each reservation under this program, be reserved for businesses located off the reservation. Each individual tribal council decides how much of their available funds will be set-a-side for this purpose.

Regular loan officer duties also include furnishing year-end reports of these monies to each reservation; executing site visits to clients; providing a six month report to individual reservations regarding loan activities and payments received, and meeting with reservation staff.

In Fiscal Year 1996 (July 1, 1995 through June 30, 1996) the Indian Affairs Council approved and disbursed three new loans for a total of \$33,353. The mineral tax collected and deposited into the Indian Business Loan account totaled approximately \$136,145; while loan payments returned \$57,113 to this revolving loan fund.

Since the first Indian Business loan was approved in June of 1981, 89 loans have been made for a total of \$1,568,356 in loans provided to Indian businesses in the state. These dedicated monies, have a wide ranging impact in terms of the types and number of businesses that are assisted, both on and off the reservation. Minnesota is the only state to have such a Indian Business Loan program.

During the year, Business Loan presentations were made at:

- Lower and Upper Sioux Communities
- Entrepreneurial class at the Bug-O-Nay-Ge-Shig School (also dialogued with the school in starting up the program)
- Minnesota American Indian Chamber of Commerce's economic development conference
- Red Lake Nation's Economic Development Summit

Indian Economic Opportunity Program

The Indian Affairs Council maintains an annual interagency agreement and funding grant with the Department of Economic Security to provide information and technical assistance to Indian Reservations in Minnesota.

A subgrant of \$57,000 of Federal monies has been provided each year from the Department of Economic Security to the Indian Affairs Council to fund the activities involved in administering Federal and State Economic Opportunity programs. These subgrants provide funding for an Economic Opportunity Program Specialist to provide information and technical assistance to support a range of programs and activities that have an impact on the causes of poverty in the reservation communities. The Inter-agency agreement uses the Council's relations with Tribal governments to promote understanding of programs, identify problems, and recommend solutions for improvement so that established objectives of the respective programs are accomplished.

Beginning next year, this federal subgrant has been increased to \$60,000 per year.

These Federal programs include:

- (a) Community Services Block Grant Basic Support (CSBG)
- (b) Community Services Block Grant Supplemental (CSBG)
- (c) Minnesota Economic Opportunity Grants (MEOG)
- (d) Head Start Program; and
- (e) Emergency Housing Program Grants (EHP)

Contracts and Allocations for the various grant programs are awarded to eleven reservation tribal governments based on the most recent census count available to the State of Minnesota. For some grants, base funding to provide administrative capability is added to the allocations. In most instances, grant awards based solely on population counts do not begin to meet the needs of most reservations. For this reason, coordination of grant planning among Community Services administered grants is essential, as is the mobilization of supplemental resources.

This is the 15th year the Community Services Block Grant has funded the position of an Economic Opportunity Specialist 3; this employee maintains work hours at the Indian Affairs Council's office in Bemidji as well as office hours at the Department of Economic Security office in St. Paul.

Each grantee (Reservation) is required to submit a workplan based on Community Needs Assessment and the identification of prioritized needs as determined by that assessment process; a description of the service delivery system targeted to low income individuals and families within the areas; a coordination plan which describes how the grantee has conferred with and established working relationships with area service providers and how this collaborative approach will impact on the low income people progress geared toward self-sufficiency. The Reservation Tribal Council officials are responsible for providing a range of services and activities consistent with the goals and objectives of the Community Service Block Grant. There must be on-going assurance that all these economic opportunity programs follow Federal regulations, instructions and policies. State agencies implement whatever internal policies are necessary to manage the programs in the most efficient and accountable manner.

Activities

Through the position of the Economic Opportunity Specialist, the Council is involved in the activities administered by the Community Services Grants. Duties include: working with each of the eleven reservations who have contracted for program services; review of grantee files and records for each reservation for all grants; assessment of (i) financial audit reports; (ii) progress reports; (iii) client reports; and (iiii) determination that grantees are invoicing on a timely basis.

The Economic Opportunity Specialist also provides technical assistance regarding invoicing procedures: Grantee Assessment Review (GAR) as well as reviewing base documents that must be on file for continued grantee eligibility and contract compliance and training of new staff.

Site visits to reservation grantees have proved to be essential in: enhancing communication between the Community Services and the Tribal governments; assessing local efforts to increase productivity and self-sufficiency and in assessing program activities necessary to manage the contracts in the most efficient and accountable manner. Telephone contact on a regular basis assists grantees in providing updated relevant material needed for continued contract activity. The beginnings of the state and federal fiscal year are naturally busier times, because of application submission. Desk monitoring activities have included regular review of grantee files and records.

The Reservation Grantees continue to experience changes in the grant application procedures and the identification of prioritized needs, goals, objectives and measurable outcomes are being updated.

Goals and Objectives of the Indian Economic Opportunity Program

Each Reservation Government determines what essential program activity must be accomplished to meet the needs of their low-income people. Coordination of grant planning among grants is essential, as is the mobilization of supplemental resources. The purpose of the site visits is to review contract status of current contracts and to verify that each Reservation is progressing successfully and in a timely manner.

In summary, this past year has experienced many changes in the EOG grant application procedures a community needs assessment and the identification of prioritized needs, goals, objectives and measurable outcomes that are currently being developed. Program staff will require additional training in developing skills to enhance program productivity to identify necessary assurances for the next funding year. Within the Office of Economic Opportunity we will continue working to support efforts to enhance communication among all grantees.

Continuation of this program is dependent on Federal funding and the needed support from the Department of Economic Security.

TO: Indian Affairs Council Board of Directors
Urban Indian Advisory Members

May 9, 1996

FR: Sharon Romano, Staff Assistant
MIAC

RE: Legislation 1996.

Chapter No. 420, S.F. No. 1902; relating to Indian Affairs Council.

Section 1. Subd. 3. Amends Statute 3.922, Reaffirms that the Minnesota Indian Affairs Council and the Urban Indian Advisory Committee are not subject to Expiration dates in section 15.059. The legislation was changed to "but, because the Council performs functions that are not purely advisory, the expiration dates provided in that section do not apply.

Chapter No. 14, S.F. 1925; relating to Indian Housing.

Section . 3. Subd. 14. Line 10; In furtherance of the policy of economic integration stated in section 463A.02, subdivision 6, it may engage in housing programs for American Indians who intend to reside on reservations and who are not persons of low and moderate income, provided that the aggregate dollar amount of the loans for "persons who are not of low- or moderate-income closed in" each lenders fiscal year shall not exceed an amount equal to 25 percent of the total dollar amount of all loans "closed" by that lender during the "same fiscal year".

Chapter No. 465, H.F. No. 219 relating to human services; Assistance Program Changes.

Article 3. Section 1, Subd. 2. (Gambling Establishments) " A currency exchange located on the premises of a gambling establishment as defined in section 256.9831, subdivision 1, may not cash a warrant that bears a restrictive endorsement under section 256.9831, subdivision 3.

Chapter No. 465, H.F. 219,

Article 3, Section 24, Subd. 7. (Injury Protection for Work Experience Participants) Adds Tribal JOBS program, reservations with county agencies to process insurance claims; to the Department of Human services.

Article 3, Section 27, Subd. 1-2. Clarifies what is a "Gambling Establishment" including a binge hall, racetrack and casinos. The commissioner shall take all due action necessary to prevent persons receiving benefits under 256 and 256D from using their financial transaction cards in any cash machine in a casino or on or near a gambling establishment.

FYI:

Article 3 cont:

Section 28, Minnesota Statutes 1995 Supplement, section 256D.02, Subd. 12a. is amended to read, For purposes of eligibility for general assistance "and general assistance medical care," a "resident" is a person living in the state "for at least 30 days" with the intention of making a person's home here and not for any temporary purpose.

FYI:

Article 5 (Health Plan Provisions)

Section 2. Subdivision 1. (Required coverage. Every health plan, including a plan providing the coverage specified in section 62A.011, subdivision 3, clause (10), must cover treatment for diagnosed Lyme disease.

Chapter 451, H.F. No. 1584 relating to human services/Health Care.

Article 4, Section 44. MN. Stats. 1995 Supplement, section 148c.11, subdivision 1, is amended to read: (OTHER PROFESSIONALS) Nothing in sections 148c.01 to 148c.10 shall prevent members of other professions or occupations from performing functions for which they are qualified or licensed. This exception includes, but is not limited to, licensed physicians, registered nurses, licensed practical nurses, etc. "American Indian medicine men and women, licensed" etc...

Article 5, Section 14. Subd. 3., (AMERICAN INDIAN HEALTH FUNDING) "Notwithstanding subdivision 1 and sections 256B.0625 and 256D.03, paragraph (f), the commissioner may make payments to federally recognized Indian tribes with a reservation in the state to provide medical assistance to Indians, as defined under federal law, who reside on or near the reservation. The payments may be made in the form of a block grant or other payment mechanism determined in consultation with the tribe. Any alternative payment mechanism agreed upon by the tribes and the commissioner under this subdivision is not dependent upon county agreement but is intended to create a direct payment mechanism between the state and the tribe for the administration of the medical assistance program and for covered services.

For purposes of this subdivision, "Indian Tribe" means a tribe, band, or nation, or other organized group or community of Indians that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians and for which a reservation exists as is consistent with Public Law Number 100-485, as amended.

Payments under this subdivision may not result in an increase in expenditures that would not otherwise occur in the medical assistance program under this chapter or the general assistance medical care program under chapter 256D."

Article 6, Section 14; (INDIAN CHILD WELFARE GRANTS) \$100,000 is appropriated from the general fund to the commissioner of human services for the purposes of providing compliance grants to an Indian child welfare defense corporation, pursuant to Minnesota Statutes, section 257.3571, subdivision 2a, to be available until June 30, 1997.

Chapter No. 463, H.F. No. 3273; relating to public administration:

Sec. 2, Minnesota State Colleges and Universities.

Subd. 7. Fond du Lac Community College, 3,600,000.

Construct a residence facility that provides cultural education experiences for Indian students to meet the statutory requirement that the campus serve statewide Indian needs.

FYI: Section 4, Subd. 2 Youth Initiative Grants.

Grants for local government units to design, furnish, equip, repair, replace, or construct parks and recreation buildings and school buildings to provide youth, with preference for youth in grades four through eight, with regular enrichment activities during nonschool hours, including after school, evenings, weekends, and school vacation periods. Each grant must be matched \$1 from local resources to \$2 of state grant. Money available to Mpls. 5,000,000 of which at least 2,500,000 must be used in the neighborhoods of the Near North Side, Hawthorne, Summer-Glenwood, Powderhorn, Central, Whittier, and Phillips.

Grants available to St. Paul, 5,000,000. half which must be in the neighborhoods of Summit-University, Thomas-Dale, North End, Payne-Phalen, Daytons Bluff, and the West Side.

Section 5, Subd. 3. Independent School District No.38, Red Lake, 100,000 For a grant to independent school district No. 38, Red Lake, for the construction of a classroom space for interactive television instruction. This grant is only available if the district rebuildsd other space with insurance proceeds.

FYI: Section 22, Subd. 7. Battle Point, Minnesota Historical Society, 500,000 For a grant to independent school district No. 115, Cass Lake-Bena, for capital improvements at Battle Point historic site. This appropriation may be supplemented with money from other resources.

Section 51, relating to Battle Point; Laws 1994, chapter 643, section 19, subdivision 8, as amended by Laws 1995, First Special Session chapter 2, article 1, section 45, is amended to read: line 3; The school district must contract with the Leech Lake Band to operate the center on behalf of the "school district."
instead of "council".

Chapter No.390, S.F. No. 2857; relating to the organization and operation of state government; appropriating money for the general administrative expenses of state government;

Sec. 8. HUMAN RIGHTS; 300,000. This appropriation is for an alternative dispute resolution program and to reduce the backlog of open cases under investigation by the department. The commission of human rights, in consultation with representatives of groups of people affected by the Human Rights Act, shall submit to the legislature by January 1, 1977 a plan to eliminate the case backlog in the department and a plan to process cases in the future in a manner that complies with statutory time deadlines.

Chapter No. 412, H.F. No. 2156, relating to education;

Article 3. Sec. 10. Minnesota Statutes 1994, section 123.35, is amended by adding a subdivision to read:

Subd. 9b. (SERVICES FOR INDIAN STUDENTS.) "School districts may enter into agreements with Indian tribal governments for purposes of providing educational services for students. Such agreements may allow for the use of any resources available to either party and must give students the option to enroll in the school district at their election."

Section 32, Sunset laws extended for State Indian Education And Indian Scholarship committees. Minnesota Statutes 1994, section 126.531, subdivision 3, is amended to read: Subd. 3. Line 12; "which expire no later than June 30, 1997."

Article 8, Section 16, Subd. 4 (NETT LAKE COMMUNITY CENTER) For a grant to independent school district No. 707, Nett Lake, for maintenance replacement funds to cover delayed lease payments for the collaborative community center.

Article 3, Sections 31, 36; Increases the state aid for American Indian-controlled schools located on reservations by \$300 per pupil unit, beginning in FY 1997. Increases the appropriation for this purpose by \$500,000.

The Urban Indian Advisory Council (UIAC) appointed by the Council Board; is an active subcommittee of the Indian Affairs Council, the UIAC meets every other month in various urban areas. Its purpose, as mandated in M.S. 3.933, subdivision 8, is to advise the board on the unique problems and concerns of Minnesota Indians who reside in urban areas of the state. Per statute, the composition of the Urban Indian Advisory Council shall be five (5) Indians, enrolled with Mn-based tribes, residing in the vicinity of Minneapolis, St. Paul and the Duluth area; and at least one member of the UIAC shall be a resident of each city.

Special Programs:

While participating in a number of separate programs as part of its overall mission, the Indian Affairs Council 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 data base for information regarding Indians, the IAC is called upon to participate and/or initiate a variety of activities and programs for the overall benefit of Indians in the state and which often fall into a "Special projects" category. These projects are often funded for no more than one year; considered short term in duration and therefore are not housed within the umbrella of the Indian Affairs Council for any more than 1 year. The Indian Affairs Council is also called upon to enter into Inter-agency agreements with other state agencies in order to develop activities or programs that will benefit the Indian community in areas not now being addressed.

These "Special Programs"; often initiated by other state agencies, call for the Council to act as a conduit for administration and financial services, thereby making it possible for smaller projects to begin establishing identities of their own and are thus able to implement programs based on their merits as a group or organization; an example of these activities are the following programs:

1. STUDY OF MINNESOTA CRIMINAL JUSTICE

In fiscal year 1996 the Minnesota Planning Office transferred \$9,000 to the Indian Affairs Council to perform a statewide crime and justice survey analysis and evaluate the results as it relates to attitudes of the American Indian community.

This study was done in parallel with similar community survey efforts performed by the other three Minnesota government Minority Councils.

The primary objective was to gather information from focus-groups concerning American Indian attitudes about crime and justice from and for the benefit of the Indian Communities.

The major tasks were to:

- Develop strategy to contact Indian community leaders/service providers and individuals;
- Recruit Indian leaders in three urban sites and one reservation site;
- Develop focus group strategy;
- Operationalize focus group;
- Analyze focus group results;
- Develop report and evaluate process.

2. A \$15,000 Federal subgrant was negotiated and received from the Department of Human Services. This funding was to develop a long range comprehensive plan for the delivery of chemical health services for American Indian youth and families in Minnesota by holding a series of meetings in the various Indian communities throughout the state .

The committees developed and facilitated a process for planning, established policies and procedures, and made recommendations regarding long term planning. The eight meetings that were convened identified many chemical health issues and made recommendations regarding: prevention, treatment, women's issues, health care reform and the cultural relevancy to Indian people.

INDIAN AFFAIRS COUNCIL APPROPRIATIONS: FY 1996

Report: July 1, 1995 through June 30, 1996

Direct Appropriations
General Fund 100:

Indian Affairs Council	348,500	
Indian Affairs Board	9,000	
Indian Burial	25,500	
Indian Re-Burial	<u>75,000</u>	
<u>TOTAL</u> appropriations	458,000	458,000
Special Re-Burial Approp	<u>50,000</u>	<u>50,000</u>
TOTAL	508,000	508,000
 Special Revenue - Fund 200		
Indian Business Loan Program	231,000	231,000
 Indian Reservation Economic Opportunity Program	<u>57,000</u>	<u>57,000</u>
Federal - Fund 300		
 SubTotal	\$ 796,000	\$ 796,000

***Special Short Term Programs Administered by MIAC**

Funded by Subgrants of Federal monies from Minn. Dept of Human Services
and State Planning

Criminal Justice Study (State Planning)	9,000
Dept of Human Services	<u>15,000</u>
 TOTAL: Federal Funds	 \$ 24,000
 TOTAL: Special Programs	 <u>\$ 24,000</u>
 TOTAL ALL FUNDS	 \$ 820,000

INDIAN AFFAIRS COUNCIL

BUDGET: FY 1997

Indian Affairs Council	352,000	
Indian Affairs Board	11,000	
Indian Burial	25,000	
Indian Re-Burial	<u>75,000</u>	
 TOTAL: General Fund	 \$ 463,000	 \$ 463,000
 Indian Business Loan Program	 231,000	 231,000
 Reservation Economic Program	 <u>57,000</u>	 <u>57,000</u>
 TOTAL ALL PROGRAMS	 \$	 751,000

Appropriations Requested of the 1997 LEGISLATURE

	<u>FY 1998</u> <u>Appropriations</u> <u>Requested</u>	<u>FY 1999</u> <u>Appropriations</u> <u>Requested</u>
General Fund 100		
Indian Affairs Council	343,000	348,000
Indian Affairs Board	12,000	12,000
Indian Burial	25,000	25,000
Indian Re-Burial	<u>75,000</u>	<u>75,000</u>
TOTAL Appropriation Requested	455,000	460,000
 Indian Business Loan Program	 231,000	 231,000
Special Revenue - Fund 200		
Reservation Economic Program	<u>60,000</u>	<u>60,000</u>
Federal - Fund 300		
TOTAL All Regular Programs	746,000	751,000

