

FACT SHEET

Minnesota Chippewa Tribe Trust Land

- Approximate – 116,000 acres of Minnesota Chippewa Tribe Trust Land involved Breakdown (*attached).
- Original lands were transferred by Executive Order – approval of transfer by Tribal Executive Committee – December 27, 1935 by Resolution (*attached).
- Other land put in name of Minnesota Chippewa Tribe through acquisition of allotted lands, lands purchased with Trust funds or appropriated funds and other lands transferred to Minnesota Chippewa Tribe ownership under the sub-marginal Lands Act of 1975 (*attached).
- Unknown how much was spent to purchase lands but most of the money was Minnesota Chippewa Tribe funds.
- Revised Land Ordinance #3 (*attached) approved October 22, 1997, grants authority to manage all Minnesota Chippewa Tribe lands to the individual bands.
- The Minnesota Chippewa Tribe received a contract from Bureau of Indian Affairs September 8, 2010 approved for \$95,000 to conduct Timber count and valuations on the six bands (*Resolution 129-10 attached). Thomas Burke & Associates performed much of the work through a contract with the Minnesota Chippewa Tribe. The Minnesota Chippewa Tribe also paid individual reservations to assist with inventory of timber on their own reservations (Completed by July 2013).
- Office of the Special Trustee did the market analysis to determine the value of certain types of land on each reservation. There was no full blown appraisal at that time (completed August 2013).
- Data provided to each band in 2013 regarding the timber valuations as well as the market analysis from the Bureau of Indian Affairs.
- Resolution (*attached) regarding Land Transfer brought to Tribal Executive Committee, February 2014 – Tabled.
- Resolution 33-18 (*attached) approved January 24, 2018.
- Flash drives were prepared by Joel Smith in August 2018 and given to enrollment coordinators asking them to provide to Individual Tribal Executive Committee members.
- Resolution 67-19 (*attached) approved February 20, 2019 by a 10-1 vote. Approved Legislation language to seek and support legislation transferring beneficial title to lands that are held in trust for the Minnesota Chippewa Tribe to constituent bands exercising jurisdiction over lands.
- Resolution 96-19 (*attached) approved April 24, 2019 by a 10-1 vote approves additional language to original bill after receiving additional input from bands.
- Proposed language of current land transfer bill (*attached)

BREAKDOWN

MCT Trust Land Base

12/29/2014

Total MCT Trust Land Ownership Acreage	116,033.66
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	Bois Forte	Grand Portage	Leech Lake	Mille Lacs	Fond du Lac	White Earth
Acquisition of Allotted Lands	2,802.14	120.00	4,287.70	2,090.12	2,624.90	80.00
Tribal Original Lands - 1938 Executive Order (Lands not purchased under Nelson Act)	22,476.70	10,197.12	5,948.51	5.00	1,133.28	2,930.45
Lands Purchased in Trust With Tribal Funds	2,752.59	0.35	950.65	1,502.72	3,852.40	
Lands Purchased in Trust With Appropriated Funds	4,109.64	1.14	1,335.22	80.00	1,660.28	15,401.30
Tribal Reserve	89.10		560.31			17.00
Other MCT Lands	570.64		0.10			28,454.30
MCT Trust Land Ownership Acreage by Reservation	32,800.81	10,318.61	13,082.49	3,677.84	9,270.86	46,883.05

DECEMBER 27, 1935
RESOLUTION

MINNESOTA CHIPPEWA TRIBEMeeting of Tribal Executive CommitteeCass Lake, Minnesota, December 27th, 1935.

The Tribal Executive Committee of the Chippewa Indians in Minnesota, a quorum being present, assembled in meeting at 11:30 A.M., on the 27th day of December, 1935, in the village of Cass Lake, Minnesota, pursuant to a call issued on the 12th day of December by the office of the Consolidated Chippewa Agency of said village, the purpose of the meeting being the selection of wild rice reserves as provided in the Act of July 24, 1935 (Pub. No. 217-74th Congress) and the restoration of land to tribal ownership under section 3 of the Act of June 18, 1934 (48 Stat. 984).

Upon the opening of the meeting by the Chairman, Jacob J. Munnell of the Consolidated Chippewa Agency, a member of the Leech Lake Chippewas, outlined briefly the purposes of the meeting and called attention to some of the matters to be considered in determining the selection of wild rice-bearing lakes as provided in the Act of July 24, 1935 (Pub. No. 217-74th Congress).

The morning session adjourned at 12:30 P.M. until 1:30 P.M.

The Committee assembled at the designated time.

The subject of wild rice reserves was first brought up and extensively discussed by the Committee. The probable cost of the reserves created by the above cited Act, being Rice Lake in Clearwater County, Minnesota, the boundaries of which are in said Act defined, was estimated and it was found according to 1932 values the lands necessary for acquisition to create such reserve was \$36,000. The lake being about four miles in length gave the Committee some idea what the cost would be for reserves on other lakes.

Mr. Broker, as well as other members of the Committee, brought out the point that even if the reserves should cost considerable amount of money to be paid out of the tribal fund as provided in the Act, it was considered a good investment as such reserves would produce revenue to the Indians for years to come, whereas a like amount of money spent for per capita payments to the Indians is quickly spent or exhausted, this they contend is also true for other purposes for which larger amounts of Chippewa funds are being expended, that wild rice reserves would be a source of more lasting benefit to the large number of Indians.

The Nett Lake delegation said they were instructed to have included as one of the reserves the Nett Lake, situated within their reservation. However, they were willing to withdraw and

permit the selection of other lake in place of it in view of the fact that there were very few non-Indian lands bordering this lake. This lake is now practically surrounded by Indian land and practically controlled by Indians with little or no interference in the harvest of wild rice. They thought subsequent purchases of land would eventually close up the gaps and thus entirely control the lake. After some discussion, the Committee decided to include Nett Lake so as to receive the benefits of the Act.

The adaptability of several lakes was mentioned, the main ones being East Lake or otherwise known as Big Rice Lake in Aitken County, White Elk Lake in Aitken County, Bowstring, Leech Lake, Sugar Lake and Squaw Lake in Cass and Itasca Counties. After these discussions, motions were in order for the selection of the lakes to be included in the wild rice harvest.

A motion was made and carried approving the reserve of Rice Lake in Clearwater County, as embodied in the Act.

A motion was made and carried selecting Big Rice Lake, in Aitken County to be included as one of the wild rice reserves under the Act. The Committee selected this lake because it will take care of the Indians of Mille Lac, East Lake, Danbury and the Fond du Lac districts.

A motion was made and carried unanimously selecting Nett Lake in Koochiching and St. Louis Counties, to be included as one of the wild rice reserves. This lake was selected by the Committee as it would serve the Nett Lake and other Indians in northeastern Minnesota.

A motion was made and carried selecting Squaw Lake in Itasca County to be included as one of the wild rice reserves under the Act. This lake was selected after much discussion. Some of the desirable lakes were too small and would not serve sufficient number of Indians to warrant expenditure of tribal funds. Other lakes were too large as to make the cost of acquisition of land prohibitive.

Selection of wild rice reserves completed at 4:30 P.M., and the Committee proceeded to take up the matter of restoration of land to tribal ownership, under Section 3 of the Indian Reorganization Act and the following resolution was adopted and passed:

"We, the Tribal Executive Committee of the Chippewa Indians of Minnesota, assembled at a meeting of said Committee, pursuant to call of the Acting Superintendent of the Consolidated Chippewa Agency, at the village of Cass Lake, Minnesota, having been brought before this Committee the matter of restoration to tribal ownership the undisposed of "opened" lands on the various Indian reservations, as authorized by Section 3 of the Indian Reorganization Act of June 18, 1934 (48 Stat. L. 984) and

Whereas, the Secretary of the Interior has withdrawn from entry such lands on September 19, and supplemental withdrawal of November 2, 1934 and

Whereas, the said Secretary of the Interior has furnished a list of such lands affected by the withdrawal to the Superintendent of the Consolidated Chippewa Agency, Cass Lake, Minnesota, now

Therefore, we the Tribal Executive Committee, contend that it is not against public interest to restore said lands to tribal ownership but to the interest and benefit of the Chippewa Indians of Minnesota, as a large portion of such lands have been opened for homestead for many years and have not to the date of the withdrawal been entered, that said lands will fit into the forestry development, economic and land acquisition program as contemplated for the Indians under the Indian Reorganization Act. We, therefore, respectfully request the Honorable Secretary of the Interior to restore these lands to tribal ownership at his earliest convenience, pursuant to law; said lands situated in the following Chippewa Reservations and in the approximate acreages as shown in the list furnished by the said Secretary of the Interior:

Bois Fort (Nett Lake)	19,605.46 acres
Fond du Lac	1,054.86 "
Leech Lake	4,887.40 "
Grand Portage	5,052.96 "
White Earth	1,327.47 "

This resolution passed unanimously by the Tribal Executive Committee of the Chippewa Indians of Minnesota on the 27th day of December 1935.

Chairman, Tribal Executive Committee

Secretary, Tribal Executive Committee

Cass Lake, Minnesota
December 27, 1935.

**SUB-MARGINAL LANDS
ACT OF 1975**

Public Law 94-114
94th Congress

An Act

To declare that certain submarginal land of the United States shall be held in trust for certain Indian tribes and be made a part of the reservations of said Indians, and for other purposes.

Oct. 17, 1975
[S. 1327]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) except as hereinafter provided, all of the right, title, and interest of the United States of America in all of the land, and the improvements now thereon, that was acquired under title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115), and section 55 of the Act of August 24, 1935 (49 Stat. 750, 781), and that are now administered by the Secretary of the Interior for the use or benefit of the Indian tribes identified in section 2(a) of this Act, together with all minerals underlying any such land whether acquired pursuant to such Acts or otherwise owned by the United States, are hereby declared to be held by the United States in trust for each of said tribes, and (except in the case of the Cherokee Nation) shall be a part of the reservations heretofore established for each of said tribes.

(b) The property conveyed by this Act shall be subject to the appropriation or disposition of any of the lands, or interests therein, within the Pine Ridge Indian Reservation, South Dakota, as authorized by the Act of August 8, 1938 (82 Stat. 663), and subject to a reservation in the United States of a right to prohibit or restrict improvements or structures on, and to continuously or intermittently inundate or otherwise use, lands in sections 25 and 26, township 48 north, range 3 west, at Odanah, Wisconsin, in connection with the Bad River flood control project as authorized by section 203 of the Act of July 3, 1958 (72 Stat. 297, 311): *Provided*, That this Act shall not convey the title to any part of the lands or any interest therein that prior to enactment of this Act have been included in the authorized water resources development projects in the Missouri River Basin as authorized by section 203 of the Act of July 3, 1958 (72 Stat. 297, 311), as amended and supplemented: *Provided further*, That such lands included in Missouri River Basin projects shall be treated as former-trust lands are treated.

Indians.
Certain tribes.
Lands in trust.
25 USC 459.
40 USC
401-411a note.
15 USC 724-728
note.

16 USC 441].

25 USC 459a.

SEC. 2. (a) The lands, declared by section 1 of this Act to be held in trust by the United States for the benefit of the Indian tribes named in this section, are generally described as follows:

Tribe	Reservation	Submarginal land project donated to said tribe or group	Approximate acreage
1. Bad River Band of the Lake Superior Tribe of Chippewa Indians of Wisconsin.	Bad River	Bad River LI-WI-8	13,148.81
2. Blackfeet Tribe	Blackfeet	Blackfeet LI-MT-9	0,030.73
3. Cherokee Nation of Oklahoma		Delaware LI-OK-4 Adair LI-OK-5	19,740.10
4. Cheyenne River Sioux Tribe	Cheyenne River	Cheyenne Indian LI-SD-13	3,738.47
5. Crow Creek Sioux Tribe	Crow Creek	Crow Creek LI-SD-10	19,199.89
6. Lower Brule Sioux Tribe	Lower Brule	Lower Brule LI-SD-10	13,264.22
7. Devils Lake Sioux Tribe	Fort Totten	Fort Totten LI-ND-11	1,424.45
8. Fort Belknap Indian Community	Fort Belknap	Fort Belknap LI-MT-8	25,530.10
9. Assinibole and Sioux Tribes	Fort Peck	Fort Peck LI-MT-8	85,835.62
10. Lac Courte Oreilles Band of Lake Superior Chippewa Indians	Lac Courte Oreilles	Lac Courte LI-WI-0	13,184.05
11. Keweenaw Bay Indian Community	WAnigo	WAnigo LI-MI-8	4,016.40
12. Minnesota Chippewa Tribe	White Earth	Twin Lakes LI-MN-5 Flat Lake LI-MN-15	23,644.80
13. Navajo Tribe	Navajo	Gallup Two Wells LI-NM-18	69,847.24
14. Ojibwa Sioux Tribe	Pine Ridge	Pine Ridge LI-SD-7	13,061.48
15. Rosebud Sioux Tribe	Rosebud	Outmost LI-SD-5 Antelope LI-SD-4	23,784.59
16. Shoshone-Bannock Tribes	Fort Hall	Fort Hall LI-ID-2	8,711
17. Standing Rock Sioux Tribe	Standing Rock	Standing Rock LI-ND-10 Standing Rock LI-SD-10	10,255.5

Publication in Federal Register.

(b) The Secretary of the Interior shall cause to be published in the Federal Register the boundaries and descriptions of the lands conveyed by this Act. The acreages set out in the preceding subsection are estimates and shall not be construed as expanding or limiting the grant of the United States as defined in section 1 of this Act.

25 USC 459b.

SEC. 3. (a) All of the right, title, and interest of the United States in all the minerals including gas and oil underlying the submarginal lands declared to be held in trust for the Stockbridge Munsee Indian Community by the Act of October 9, 1972 (86 Stat. 795), are hereby declared to be held by the United States in trust for the Stockbridge Munsee Indian Community.

Repeal.

(b) Section 2 of said Act of October 9, 1972, is hereby repealed.
(c) Section 5 of the Act of October 13, 1972 (86 Stat. 806), relating to the Burns Indian Colony is amended by striking the words "conveyed by this Act" and inserting in lieu thereof the words "conveyed by section 2 of this Act".

25 USC 459c.

SEC. 4. (a) Nothing in this Act shall deprive any person of any existing valid right of possession, contract right, interest, or title he may have in the land involved, or of any existing right of access to public domain lands over and across the land involved, as determined by the Secretary of the Interior. All existing mineral leases, including oil and gas leases, which may have been issued or approved pursuant to section 5 of the Mineral Leasing Act for Acquired Lands of August 7, 1947 (61 Stat. 913, 915), or the Mineral Leasing Act of 1920 (41 Stat. 437), as amended prior to enactment of this Act, shall remain in force and effect in accordance with the provisions thereof. All applications for mineral leases, including oil and gas leases, pursuant to such Acts, pending on the date of enactment of this Act and covering any of the minerals conveyed by sections 1 and 3 of this Act shall be rejected and the advance rental payments returned to the applicants.

30 USC 354.

30 USC 181 note.

(b) Subject to the provisions of subsection (a) of this section, the property conveyed by this Act shall hereafter be administered in accordance with the laws and regulations applicable to property held in trust by the United States for Indian tribes, including but not limited to the Act of May 11, 1938 (52 Stat. 347), as amended.

Sec. 5. (a) Any and all gross receipts derived from, or which relate to, the property conveyed by this Act, the Act of July 20, 1956 (70 Stat. 581), the Act of August 2, 1958 (70 Stat. 941), the Act of October 9, 1972 (86 Stat. 795), and section 1 of the Act of October 13, 1972 (86 Stat. 806) which were received by the United States subsequent to its acquisition by the United States under the statutes cited in section 1 of this Act and prior to such conveyance, from whatever source and for whatever purpose, including but not limited to the receipts in the special fund of the Treasury as required by section 6 of the Mineral Leasing Act for Acquired Lands of August 7, 1947 (61 Stat. 913, 915), shall as of the date of enactment of this Act be deposited to the credit of the Indian tribe receiving such land and may be expended by the tribe for such beneficial programs as the tribal governing body may determine: *Provided*, That this section shall not apply to any such receipts received prior to enactment of this Act from the leasing of public domain minerals which were subject to the Mineral Leasing Act of 1920 (41 Stat. 437), as amended and supplemented.

(b) All gross receipts (including but not limited to bonuses, rents, and royalties) hereafter derived by the United States from any contract, permit or lease referred to in section 4 (a) of this Act, or otherwise, shall be administered in accordance with the laws and regulations applicable to receipts from property held in trust by the United States for Indian tribes.

Sec. 6. All property conveyed to tribes pursuant to this Act and all the receipts therefrom referred to in section 5 of this Act, shall be exempt from Federal, State, and local taxation so long as such property is held in trust by the United States. Any distribution of such receipts to tribal members shall neither be considered as income or resources of such members for purposes of any such taxation nor as income, resources, or otherwise utilized as the basis for denying or reducing the financial assistance or other benefits to which such member or his household would otherwise be entitled to under the Social Security Act or any other Federal or federally assisted program.

25 USC 396a.

25 USC 459d.

25 USC 465 note.

30 USC 355.

30 USC 181 note.

Tax exemption.
25 USC 459a.

42 USC 901 note.

Approved October 17, 1975.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-480 accompanying H.R. 5778 (Comm. on Interior and Insular Affairs).

SENATE REPORT No. 94-377 (Comm. on Interior and Insular Affairs).

CONGRESSIONAL RECORD, Vol. 121 (1975):

Sept. 19, considered and passed Senate.

Oct. 6, considered and passed House, amended, in lieu of H.R. 5778.

Oct. 7, Senate concurred in House amendment.

REVISED LAND
ORDINANCE #3

THE MINNESOTA CHIPPEWA TRIBE LAND ORDINANCE #3

WHEREAS, The Constitution of The Minnesota Chippewa Tribe was adopted for the purposes of conserving and developing tribal resources and for promoting the general welfare of the members of the Tribe, (Article I, Section 3) and

WHEREAS, The Constitution of The Minnesota Chippewa Tribe, Article V, Sec. 1, (f), vests in the Tribal Executive Committee powers "to manage, lease, permit, or otherwise deal with tribal lands....."

WHEREAS, The Constitution of the Minnesota Chippewa Tribe, Article VI, Sec. 1, (c) authorizes Band governments "to manage, lease, permit or otherwise deal with tribal lands, interests in lands or other tribal assets, when authorized to do so by the Tribal Executive Committee."

NOW THEREFORE BE IT RESOLVED, that Land Ordinance #3 is hereby adopted and shall govern the assignment, leasing, encumbering, and all other dispositions and uses affecting tribal lands:

Chapter 1 - Revoking all prior laws; jurisdiction.

Section 101 - To the extent they are inconsistent with the terms of this Ordinance, all prior ordinances, resolutions and regulations of the Minnesota Chippewa Tribe are hereby revoked and nullified. In the absence of Band government resolutions, ordinances and regulations, this Ordinance shall govern the occupancy and use of tribal lands.

Section 102 - Each Band government shall retain the inherent authority to protect and manage the use of lands, waters and resources with respect to its Reservation so as to secure the political and economic security of the Band, and the health and welfare of its members. Where the conditions imposed by a provision of this Ordinance are in conflict with a statute, ordinance or regulation of the Band government, this Ordinance authorizes the Band government to follow the provisions of its own law, insofar as such law is not contrary to the political or economic welfare of the Band, and does not directly affect any other Band government without its consent.

Chapter 2 - Definitions.

Section 201 - "Tribe" means The Minnesota Chippewa Tribe, operating under its Constitution adopted pursuant to Section 16 of the Act of June 18, 1934, (48 Stat. 984), as amended.

Section 202 - "Tribal Executive Committee" means the governing body of the Tribe as established by the Constitution of The Minnesota Chippewa Tribe, Art. III, Section 1.

Section 203 - "Band government" means the governments of the White Earth, Leech Lake, Fond du Lac, Bois Forte (Nett Lake), Grand Portage and Mille Lacs Reservations, as established by the Constitution of the Minnesota Chippewa Tribe, Art. III, Section 2, and referred to therein as "Reservation Business Committees."

Section 204-1 - "Tribal Lands" as used herein shall consist of the following: (a) Land restored to tribal ownership for use and benefit of the Minnesota Chippewa Tribe under Section 3 of the Act of June 18, 1934 (48 Stat. 984), 25 U.S.C.A. 463; (b) Lands purchased in trust for the Minnesota Chippewa Tribe under Section 5 of the Act of June 18, 1934 (48 Stat. 985), 25 U.S.C.A. 465; (c) Lands purchased for wild rice camp sites under Section 5 of the Act of June 18, 1934 (48 Stat. 985), 25 U.S.C.A. 465; (d) All unallotted land, Agency and School reserves, old Day School sites, and any and all other land or interest in land heretofore hereafter be acquired by or for the benefit of the Minnesota Chippewa Tribe, and all other land of the Tribe in any portion of Indian Country, as defined in 18 U.S.C. Sec. 1151, including any and all such lands held in fee by the Minnesota Chippewa Tribe.

Section 204-2 - "Tribal lands" include any buildings, fixtures or other permanent improvements not specifically excluded by agreement, and the natural resources situated on any tribal lands.

Section 204-3 - "Natural resource" means any resource related to the lands held in fee or trust which would be subject to trust protection when such lands are held in trust for the Band or Tribe by the Federal Government.

Section 205 - "Land Assignment" means the granting of a limited right to occupy or use land for residential or community purposes only. Assignments shall be limited to Tribal members, Tribal groups and Tribal Associations.

Section 206 - "Land Lease" means an agreement of a specified duration between the Minnesota Chippewa Tribe and another party for a specified use of tribal lands.

Section 207 - "Public Use" means a use benefitting an entire reservation or an identifiable group or association of the resident tribal members.

Section 208 - "Secretary of the Interior Approval" means the approval required by Tribal or Federal Law for any actions affecting property held in trust by the United States for the Minnesota Chippewa Tribe.

Section 209 - "Restricted Areas" means any portion of areas of Indian Country, as defined in 18 U.S.C. Sec. 1151, of which a majority of the land is owned in fee by, or held in trust for the benefit of the Minnesota Chippewa Tribe and/or its constituent Bands and members, such lands having been designated under Tribal or Band statute, ordinance or regulation as being for the exclusive use and benefit of the Band and its members in furtherance of, and essential to, the Tribe or Band's self-government and conduct of internal relations, and over which the Band government may exercise exclusive regulatory authority.

Chapter 3 - "Duties and Powers of Tribal Executive Committee and Band Governments"

Section 301 - Pursuant to the Constitution of the Minnesota Chippewa Tribe, all tribal lands shall be managed, conserved and developed so as to promote the general welfare of members of the Tribe.

The Tribal Executive Committee shall retain, subject to the provisions of Sections 302 and 303, the authority to approve, reject or amend all assignments, leases, encumbrances, and other uses of tribal lands. All such decisions shall be final.

Section 302 (a) - Pursuant to the authority contained in the Constitution of the Minnesota Chippewa Tribe, Article V, Section I (f) and Article VI, Section 1 (c), the Band government shall have the option to manage, lease, permit, or otherwise deal with tribal lands within the Band's jurisdiction. Any Band government intending to obtain the benefits of this Section shall allow the Tribal Executive Committee sufficient notice of its intentions so that an orderly transition of records and management responsibility may occur. A Band government may upon thirty (30) days written notice, relinquish any responsibility and authority obtained under this Section.

Section 302 (b) - A Band government may, at its exclusive option, include any and all Tribal lands in a Band designated Restricted Area regardless of whether such lands are included in the provisions of Sec. 302(a).

Section 303 - Any person, group or other entity with an actual interest in the land, who is aggrieved by a decision of a Band government made pursuant to the authority granted under Section 302 may appeal to the Reservation Court of competent jurisdiction, or in the absence of such Court, appeal may be had to the Housing Subcommittee of the Tribal Executive Committee, or other Tribunal designated by the Band government for the purpose of hearing such appeals. Appeals shall be presented by the party appealing. Written notice of appeal specifying the grounds thereof from a Band government decision must be served and filed with the appropriate Court or Tribunal of jurisdiction, the Band government and The Tribal Executive Committee within fifteen (15) calendar days of the decision appealed.

Chapter 4 - "Land Assignments and Escheat"

Section 401 - Band governments may, at their option, choose to use either "Land Assignments", or "Leases" as the means of assigning property rights over Band or Tribal lands on or near the Band's Reservation. Leases shall be the preferred form for land transactions involving Tribal property rights with non-Tribal members.

Section 402 - Land assignments may be made to individual members of the Tribe for residential purposes only, or to tribal or non-profit reservation groups or associations for public use. In no event shall a profit-making activity be construed as a residential or community use.

Section 403 - Land assignments for residential purposes shall not exceed three (3) acres. The Tribal Executive Committee or Band government may for good cause grant a variance to authorize a residential land assignment that exceeds three (3) acres. All land assignments shall be subject to Tribal and Band Zoning and Land Use Ordinances.

Section 404 - Land assignments to tribal or reservation groups or associations for public purposes shall be limited in area in accordance with public purpose served.

Section 405 - Land assignments, may be for a stated period of time and revocable in accordance with the terms and conditions of a land assignment agreement; provided, that land assignments to individual members of the Tribe may be for as long as they shall occupy the land but for no longer than their natural lives.

Section 406 - All land assignment agreements shall be subject to the following restrictions and conditions:

- A. Any land assignment or rights or interests arising thereunder, shall not be reassigned or sold by the assignee.
- B. Any person who is not an enrolled member of the Minnesota Chippewa Tribe shall not be eligible to receive a land assignment, except as provided in Section 405, Subd. (D).
- C. Unless otherwise provided, buildings, improvements or fixtures placed upon Tribal lands pursuant to assignments shall be the separate property of the assignee, permittee or party to the contract, and shall be regarded as personal property regardless of the manner in which the same is affixed to the land. However, the Tribe shall be under no obligation to purchase such building improvements or fixture in the event they are not or cannot be removed.

D. Preferences in the assignments of land to qualified Indians shall be as follows:

In the event of death of an assignee, and subject to the provisions of 25 U.S.C. Secs. 2201 et. seq., the surviving spouse, if an enrolled member, shall have a right to preference to such assignment, provided a claim for preference is filed in writing with the Tribal Executive Committee or Band Government within ninety (90) days after the death of the assignee. Where the surviving spouse is a non-member and there are minor children, the surviving spouse may be assigned the land until the youngest child reaches the age of majority.

E. Breach of any terms of an assignment shall be grounds for termination of the assignment.

Section 407 - The Tribal Executive Committee or Band government shall develop a standard form for all land assignments.

Section 408 - In the event of the termination or the expiration of an assignment and the improvements are not removed within the period prescribed in the assignment then they shall become the property of the Tribe or the Band government administering the assignment.

Section 409 - Insofar as title to any allotted lands may escheat to the Tribe by operation of law or through condemnation or consolidation of fractionated interests on such lands, the Tribe shall transfer the title to the land to the Band government of the Reservation on which the land is located.

Chapter 5 - Subdivision, Platting and Public Uses.

Section 501 - Subject to the provisions of Section 102 of this Ordinance, the Band government shall

have power to subdivide or plat lands within the jurisdiction of the Band or within designated Restricted Areas. This includes the power to determine the acreage to be assigned for all purposes, to classify the use of any land, to set aside specific areas and otherwise reserve any and all lands for the benefit of the reservation or the Tribe, as it deems advisable; to classify agricultural and forest lands, to set aside and reserve land for woodlots, community and public use, recreation campgrounds or business sites, or other purposes.

Section 502 - In assigning acreage for either public or private use, the Tribal Executive Committee or the Band government shall take into consideration the amount of land available, the number of applicants, the least amount of acreage required in each case for actual use and shall also consider at all times the general welfare of the Tribe.

Section 503 - Land purchased, acquired or heretofore otherwise designated as wild rice camp, maple gathering camp, or in any other way designated as an area for the benefit and sustenance of the membership of the Minnesota Chippewa Tribe shall be subject, at all times, to the jurisdiction of the the Band government. Such lands shall be administered consistent with the purpose for which the same was reserved by Acts of Congress. However, if the Tribal government with jurisdiction should find it expedient to issue permits for certain portions of such land for residential or other purposes, the granting of such permits shall be in accordance with this Ordinance and shall require any assignee to make available to campers for harvesting, the portion of such campsite not actually occupied or used by the assignee.

Section 504 - A Band government may use its inherent sovereign powers of condemnation over any lands held in trust by the federal government for the benefit of Indians or subject to a restriction on alienation on or near its Reservation, including lands held in trust for the Minnesota Chippewa Tribe, *provided,*

- (A) the Band receives Secretary of the Interior Approval;
- (B) the condemnation is in the public interest; and,
- (C) just compensation and due process is afforded.

For purposes of this Ordinance, just compensation shall be, unless otherwise agreed between the Band and the owner, an amount equal to the fair market value of the land.

Chapter 6 - Leases and Permits

Section 601 - The Tribal Executive Committee or Band government shall prepare standardized forms which shall be used for all land transactions subject to this Section.

Section 602 - No land transactions subject to this Section shall be made for a term longer than ten (10) years, with provision for a ten (10) year extension or renewal, except that upon special application a twenty-five (25) year lease, with provision for twenty-five (25) year extension or renewal, may be granted in order to secure residential or business financing or to meet any other

special needs of a particular applicant. In no instance, however, shall a twenty-five (25) year land transaction be approved unless adequate documentation of the special need accompanies the application and such documentation demonstrates that the longer term will benefit the tribe generally, a specific tribal member, or a specific tribal or reservation group.

Section 603 - Terms and conditions, including payment provisions, of all land transactions subject to this Section shall be determined by The Tribal Executive Committee or, by a Band government administering Tribal Lands pursuant to Section 302 (a). The rental schedule shall be reviewed and adjusted at least once every five (5) years by the Tribal Executive Committee or Band government and said schedule shall be as uniform as possible within the Reservation on which such lands are located.

Section 604 - Land transactions under this Section for residential purposes shall not exceed three (3) acres. The Tribal Executive Committee may for good cause grant a variance to authorize a residential land lease, permit or contract that exceeds three (3) acres. All land leases, permits or contracts shall be subject to Tribal and Band Zoning and Land Use Ordinances.

Chapter 7 - Prior Assignments, Leases, Permits and Contracts.

Section 701 - No prior land transactions under Chapters 3 or 6 shall be affected by the provisions of this Ordinance. They shall remain governed by the laws applicable at the time granted. *Except that*, the provisions for commencing and enforcing an Unlawful Detainer and Writ of Restitution as contained in Sections 1101 and 1102 shall become immediately effective as to all leases permits or contracts affecting Tribal land. Wherever and whenever feasible, prior leases, permits and contracts should be renegotiated so as to conform to this Ordinance, and every effort must be made to ensure that all interests in Tribal land are recorded. No renewal or extension of any current leases or permits shall be granted except in conformity with this Ordinance.

Chapter 8 - Timber Permits and Contracts.

Section 801 - All leases, permits and contracts for the removal of standing timber attached to Tribal land shall be governed by the Band's Forest Management Plan.

Chapter 9 - Rights of Way Over Tribal Land.

Section 901 - All grants of rights-of-way over Tribal lands shall be in accordance with the regulations of the Department of the Interior and the applicable laws, except that all grants for future rights-of-way over Tribal lands shall be subject to the consent and approval of the officer of the Band government.

Chapter 10

Section 1001 - The waters within the bounds of the six member reservations of The Minnesota Chippewa Tribe will be protected from degradation. Sewage and waste disposal systems located on tribal lands will be constructed and/or maintained so as to effect no degradation of the quality of surface or ground waters. Degradation of water quality is defined as the introduction of any material, into any water system where the introduced material is not in conformance with any applicable Reservation Codes. Failure to comply with the regulations outlined in this Section will be grounds for termination of the granted lease, permit assignment or contract.

Chapter 11 - Unlawful Detainer

Section 1101 - In the event of violation of the terms of any land transaction under Chapter 3, or Chapter 4, an Unlawful Detainer action may be brought in the appropriate Reservation Court of competent jurisdiction, or in the absence of such Court, in the Housing Committee of Tribal Executive Committee, or in any other Tribunal designated by the Band Government.

Section 1102- In the event that an Unlawful Detainer is upheld this Chapter, causing a Writ of Restitution to issue, the occupant of the land and/or the record holder of the affected interest shall be notified in writing, by certified mail of the said decision. Said notice shall specify the grounds of the decision. The Band government shall retake possession of the land in any manner not likely to create a disturbance of the peace. If it is determined that peaceful repossession of the land cannot be accomplished, the Band government may, pursue any and all legal remedies, tribal, reservation, state or federal court, including forcible methods to effect the eviction of the unlawful possessor of such land.

Section 1103 - The termination and repossession provisions of this Section shall be made part of every Tribal land transaction and shall specify that these provisions provide the exclusive remedy for any party aggrieved by the termination of a transaction affecting Tribal land.

Section 1104 - The Unlawful Detainer provisions of the Reservation on which the Action is taken and heard shall control. In the absence of such law, the provisions of this Ordinance, and Ordinance 16, shall control.

We do hereby certify that the foregoing Ordinance was duly presented and acted upon by a vote of 8 For, 0 Against, 0 Silent at a Regular Meeting of the Minnesota Chippewa Tribal Executive Committee, a quorum present, held on October 22, 1997, at Onamia, Minnesota.

Norman W. Deschampe
Norman W. Deschampe, President
THE MINNESOTA CHIPPEWA TRIBE

Attest:

Eli O. Hunt
Eli O. Hunt, Secretary
THE MINNESOTA CHIPPEWA TRIBE

RESOLUTION 129-10

RESOLUTION 129-10

WHEREAS, the Minnesota Chippewa Tribal Executive Committee is the duly elected governing body of the Minnesota Chippewa Tribe, comprised of six member reservations (Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, and White Earth), and

WHEREAS, the Minnesota Chippewa Tribe, Tribal Executive Committee formed a committee to review the Minnesota Chippewa Tribe Constitution; and

WHEREAS, the Constitution Review Committee requested from the Office of Special Trustee an appraisal and listing of all lands held in trust for the Minnesota Chippewa Tribe for possible transfer to the individual bands; and

WHEREAS, in response to the request for an appraisal process for all lands held in trust for the Minnesota Chippewa Tribe, the Tribal Executive Committee was presented an overall land appraisal and market study comparison; and

WHEREAS, the Minnesota Chippewa Tribe, Tribal Executive Committee would like to have a market study comparison done to identify the types of all tribal parcels and update the forestry volumes on all tribal lands;

NOW THEREFORE BE IT RESOLVED, that the Minnesota Chippewa Tribal Executive Committee does hereby approve a proposal in the amount of \$95,000 to identify the types of parcels and update the forest volumes on all tribal lands;

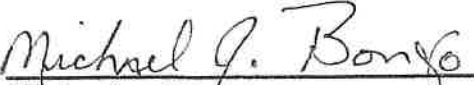
BE IT FURTHER RESOLVED, that the Minnesota Chippewa Tribe, Tribal Executive Committee requests the transfer of \$95,000 to the Minnesota Chippewa Tribe Contract # CTF53T40041 to perform forestry and realty services required herein;

BE IT FURTHER RESOLVED, that the Minnesota Chippewa Tribe, Tribal Executive Committee requested an opinion from the Bureau of Indian Affairs whether a market analysis would be acceptable to the Secretary of Interior as opposed to a full appraisal of each parcel;

BE IT FINALLY RESOLVED, that the Minnesota Chippewa Tribe, Tribal Executive Committee does hereby authorize the Executive Director or his appointed designee to negotiate and sign the contract.

We do hereby certify that the foregoing Resolution was duly presented and acted upon by a roll call vote of 7 For, 0 Against, 5 Silent, at a Regular Meeting of the Minnesota Chippewa Tribal Executive Committee, a quorum present, held on September 8, 2010 at Carlton, Minnesota.


Norman W. Deschampe, President
THE MINNESOTA CHIPPEWA TRIBE


Michael J. Bongo, Secretary
THE MINNESOTA CHIPPEWA TRIBE

RESOLUTION
FEBRUARY 2014
TABLED

MCT Beneficial Interest Land Transfer

RESOLUTION _____

Tabled

- WHEREAS,** the Minnesota Chippewa Tribal Executive Committee is the duly elected governing body of the Minnesota Chippewa Tribe, comprised of six member reservations (Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, and White Earth), and
- WHEREAS,** the Minnesota Chippewa Tribe holds beneficial interest of various parcels of land located within or near the reservations of the six member reservations; and
- WHEREAS,** the Minnesota Chippewa Tribe does not have any land management program or department; and
- WHEREAS,** each member reservation has been responsible for the management and oversight of the Minnesota Chippewa Tribe's beneficial interest in its trust lands for decades; and
- WHEREAS,** the Minnesota Chippewa Tribe determines it to be in the best interest of the member reservations to transfer all beneficial interest in its trust lands, including any and all rights associated therewith, to each member reservation when that land is located within the boundaries of said reservation; and
- WHEREAS,** there are certain parcels of trust lands located adjacent or near to member reservation boundaries, and with respect to those lands, the member reservation nearest to a parcel outside the boundaries of its reservation shall receive all beneficial interest in those lands, including any and all rights associated therewith; and
- WHEREAS,** in order to transfer beneficial title to these lands, federal legislation will be required, and the Minnesota Chippewa Tribe hereby endorses a draft bill to transfer its beneficial interest in lands to each member reservation, a draft and proposed copy of which is attached hereto; and
- WHEREAS,** the Natural Resources Subcommittee discussed this resolution and recommended its approval to the Minnesota Chippewa Tribal Executive Committee.
- NOW THEREFORE BE IT RESOLVED,** that the Minnesota Chippewa Tribal Executive Committee does hereby approve this resolution and authorizes the introduction of federal legislation to accomplish the goal of this resolution.

MCT Beneficial Interest Land Transfer

We do hereby certify that the foregoing Resolution was duly presented and acted upon by a vote of ___ For, ___ Against, ___ Silent, at a Regular Meeting of the Minnesota Chippewa Tribal Executive Committee, a quorum present, held on February 6, 2014 at Onamia, Minnesota.

Not Approved!

Tabled

Norman Deschampe, President
THE MINNESOTA CHIPPEWA TRIBE

Donald J. Finn, Secretary
THE MINNESOTA CHIPPEWA TRIBE

RESOLUTION 33-18

RESOLUTION 33-18

- WHEREAS,** the Minnesota Chippewa Tribal Executive Committee is the duly elected governing body of the Minnesota Chippewa Tribe, comprised of six member reservations (Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, and White Earth); and
- WHEREAS,** the Natural Resources/Environment Subcommittee did meet on January 16, 2018, and did recommend Tribal Executive Committee approval of this resolution; and
- WHEREAS,** the Bands which organized as the Minnesota Chippewa Tribe under the Indian Reorganization Act had previously reserved lands for their own use and benefit in land cession treaties with the United States of America; and
- WHEREAS,** pursuant to the terms of the Act of January 14, 1889, 25 Stat. 642, the Bands' treaty reservations were ceded and opened to allotment, sale and entry under the supervision of the Secretary of the Interior; and
- WHEREAS,** in a Secretarial Order of Restoration dated February 23, 1938, the Secretary of the Interior determined that the remaining undisposed of and vacant lands on the reservations would "be of value to the Indians and restored to tribal ownership, and where practicable, consolidated by exchanges with other landowners"; and
- WHEREAS,** the Order of Restoration restored vacant and undisposed of lands to "tribal ownership for the use and benefit of the Chippewa Indians of Minnesota" and the United States government ruled that the restored lands were to be for the common benefit of the Minnesota Chippewa Tribe even though the lands were within reservations which, by treaty, were intended for the perpetual use and occupancy of the specific Bands which had been parties to the treaties of cession; and
- WHEREAS,** from time to time the Minnesota Chippewa Tribe also purchased land within the reservations of the constituent Bands and beneficial title to those lands is held by the United States in trust for the Minnesota Chippewa Tribe; and
- WHEREAS,** the lands held in trust by the United States for the Minnesota Chippewa Tribe on the six reservations are subject to a Land Ordinance that delegates authority to the respective Band governing bodies to manage, lease and deal with the Minnesota Chippewa Tribe trust lands on the respective reservations; and

WHEREAS, although the delegations in the Land Ordinance have enabled the Bands to exercise the attributes of ownership to a considerable extent, the ability of the Bands to do so on a long-term basis is inhibited by the fact that both the Land Ordinance and the existing formula for allocation of proceeds from MCT trust lands can be either modified or repealed by the Tribal Executive Committee; and


WHEREAS, the Tribal Executive Committee finds that Band ownership of trust lands within the reservations of the constituent Bands will both eliminate uncertainty associated with MCT ownership and enable the fulfillment of treaty promises that were premised on reservations for the use and benefit of the Bands.

NOW, THEREFORE, BE IT RESOLVED that to enable the constituent Bands to realize the full benefit of the tribal trust lands within their reservations in perpetuity, the Tribal Executive Committee will take such action as may be necessary, including seeking and supporting federal legislation, to transfer beneficial title to all lands that are held in trust for the Minnesota Chippewa Tribe and either located within a reservation created for the use and benefit of a constituent Band or are Indian country over which a constituent Band exercises jurisdiction, to the United States of America in trust for that Band.

We do hereby certify that the foregoing Resolution was duly presented and acted upon by a vote of 7 For, 3 Against, 1 Silent, at a Regular Meeting of the Minnesota Chippewa Tribal Executive Committee, a quorum present, held on January 24, 2018 at Grand Portage, Minnesota.



Kevin R. Dupuis, Sr., President
THE MINNESOTA CHIPPEWA TRIBE



Melanie Benjamin, Secretary
THE MINNESOTA CHIPPEWA TRIBE

RESOLUTION 67-19

RESOLUTION 67-19

- WHEREAS,** the Minnesota Chippewa Tribe is comprised of six-member reservations (Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, and White Earth); and
- WHEREAS,** the Tribal Executive Committee is the duly elected governing body of the Minnesota Chippewa Tribe and is comprised of the Chairpersons and Secretary/Treasurers from the six bands; and
- WHEREAS,** the Bands, which are organized as the Minnesota Chippewa Tribe under the Indian Reorganization Act, had previously reserved lands for their own use and benefit in land cession treaties with the United States of American; and
- WHEREAS,** pursuant to the terms of the Act of January 14, 1889, 25 Stat. 642, the Bands' treaty reservations were ceded and opened for allotment, sale, and entry under the supervision of the Secretary of the Interior; and
- WHEREAS,** in a Secretarial Order of Restoration dated February 23, 1938, the Secretary of the Interior determined that the remaining undisposed of and vacant lands on the reservations would "be of value to the Indians and restored to tribal ownership, and where practicable, consolidated by exchanges with other landowners"; and
- WHEREAS,** the Order of Restoration restored vacant and undisposed of lands to "tribal ownership for the use and benefit of the Chippewa Indians of Minnesota" and the United States government ruled that the restored lands were to be for the common benefit of the Minnesota Chippewa Tribe even though the lands were within reservations which, by treaty, were intended for the perpetual use and occupancy of the specific Bands which had been parties to the treaties of cession; and
- WHEREAS,** the Minnesota Chippewa Tribe also purchased land from time to time within the reservations of the constituent Bands and beneficial title to those lands is held by the United States in trust for the Minnesota Chippewa Tribe; and
- WHEREAS,** the lands held in trust by the United States for the Minnesota Chippewa Tribe on the six reservations are subject to a Land Ordinance that delegates authority to the respective Band governing bodies to manage, lease, and deal with the Minnesota Chippewa trust lands on the respective reservations; and
- WHEREAS,** although the delegations in the Land Ordinance have enabled the Bands to exercise the attributes of ownership to a considerable extent, the ability of the Bands to do so on a long term basis is inhibited by the fact that both the Land Ordinance and the existing formula for allocation of proceeds for MCT trust lands can be either modified or repealed by the Tribal Executive Committee; and

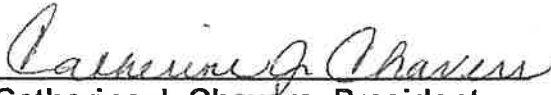
WHEREAS, in Resolution 33-18, the Tribal Executive Committee found that Band ownership of trust lands within the reservations of the constituent Bands would both eliminate uncertainty associated with MCT ownership and enable the fulfillment of treaty promises that were premised on reservations for the use and benefit of the Bands; and

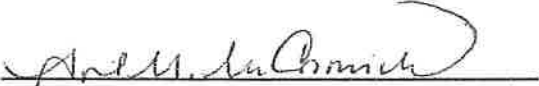
WHEREAS, Resolution 33-18 stated that in order for the constituent Bands to realize the full benefit of the tribal trust lands within their reservation in perpetuity, the Tribal Executive Committee will take such action as may be necessary, including seeking and supporting federal legislation, to transfer beneficial title to all lands that are held in trust for the Minnesota Chippewa Tribe and either located within a reservation created for the use and benefit of a constituent Band or are Indian country over which a constituent Band exercises jurisdiction, to the United States of America in trust for that Band; and

WHEREAS, the Tribal Executive Committee finds that it is necessary to approve language that shall serve as the basis for seeking and supporting legislation transferring beneficial title to lands that are held in trust for the Minnesota Chippewa Tribe or Indian Country over which a constituent Band exercises jurisdiction, to the United States of America in trust for that Band.

NOW THEREFORE BE IT RESOLVED, that the Tribal Executive Committee hereby approves the legislative language attached to this resolution and authorizes the distribution and use of the language to seek and support legislation transferring beneficial title to lands that are held in trust for the Minnesota Chippewa Tribe or Indian Country over which a constituent Band exercises jurisdiction, to the United States of America in trust for that Band.

We do hereby certify that the foregoing Resolution was duly presented and acted upon by a vote of 10 For, 0 Against, 0 Silent, at a Regular Meeting of the Minnesota Chippewa Tribal Executive Committee, a quorum present, held on February 20, 2019 at Vermilion, Minnesota.


Catherine J. Chavers, President
THE MINNESOTA CHIPPEWA TRIBE


April M. McCormick, Secretary
THE MINNESOTA CHIPPEWA TRIBE

RESOLUTION 96-19

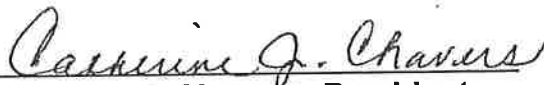
RESOLUTION 96-19

- WHEREAS,** the Minnesota Chippewa Tribe is comprised of six-member reservations (Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, and White Earth); and
- WHEREAS,** the Tribal Executive Committee is the duly elected governing body of the Minnesota Chippewa Tribe and is comprised of the Chairpersons and Secretary/Treasurers from the six bands; and
- WHEREAS,** the Bands, which are organized as the Minnesota Chippewa Tribe under the Indian Reorganization Act, had previously reserved lands for their own use and benefit in land cession treaties with the United States of America; and
- WHEREAS,** in Resolution 33-18, the Tribal Executive Committee found that Band ownership of trust lands within the reservations of the constituent Bands would both eliminate uncertainty associated with MCT ownership and enable the fulfillment of treaty promises that were premised on reservations for the use and benefit of the Bands; and
- WHEREAS,** Resolution 33-18 stated that in order for the constituent Bands to realize the full benefit of the tribal trust lands within their reservation in perpetuity, the Tribal Executive Committee will take such action as may be necessary, including seeking and supporting federal legislation, to transfer beneficial title to all lands that are held in trust for the Minnesota Chippewa Tribe and either located within a reservation created for the use and benefit of a constituent Band or are Indian country over which a constituent Band exercises jurisdiction, to the United States of America in trust for that Band; and
- WHEREAS,** in Resolution 67-19, the Tribal Executive Committee found it necessary to approve language that shall serve as the basis for seeking and supporting legislation transferring beneficial title to lands that are held in trust for the Minnesota Chippewa Tribe or Indian Country over which a constituent Band exercises jurisdiction, to the United States of America in trust for that Band;
- WHEREAS,** the Tribal Executive Committee approved legislative language that was attached to Resolution 67-19 to serve as the basis for seeking legislation transferring beneficial title to lands that are held in trust for the Minnesota Chippewa Tribe or Indian Country over which a constituent Band exercises jurisdiction, to the United States of America in trust for that Band;

WHEREAS, the Tribal Executive Committee received additional input from the constituent Bands regarding legislative language and finds that is necessary and appropriate to adopt a resolution approving the updated legislative language.

NOW THEREFORE BE IT RESOLVED, that the Tribal Executive Committee hereby approves the legislative language attached to this resolution and authorizes the distribution and use of the language to seek and support legislation transferring beneficial title to lands that are held in trust for the Minnesota Chippewa Tribe or Indian Country over which a constituent Band exercises jurisdiction, to the United States of America in trust for that Band.

We do hereby certify that the foregoing Resolution was duly presented and acted upon by a vote of 10 For, 1 Against (Kevin Dupuis), 0 Silent, at a Regular Meeting of the Minnesota Chippewa Tribal Executive Committee, a quorum present, held on April 24,


Catherine J. Chavers, President
THE MINNESOTA CHIPPEWA TRIBE


April McCormick, Secretary
THE MINNESOTA CHIPPEWA TRIBE

A BILL

A Bill to require the Secretary of the Interior to transfer the beneficial interests in certain lands held in trust for the Minnesota Chippewa Tribe

*Be it enacted by the Senate and House of Representatives
of the United States of America in Congress assembled*

Section 1. Inter-Tribal Transfers of Minnesota Chippewa Tribe Beneficial Interests in Trust Lands.

(a) TRANSFER OF EXISTING TRUST INTERESTS.—With respect to lands now held in trust by the United States for the Minnesota Chippewa Tribe, all beneficial interests of the Minnesota Chippewa Tribe in such trust lands located on or near a reservation of a constituent Band of the Minnesota Chippewa Tribe (Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Mille Lacs and White Earth) are hereby transferred to the constituent Band exercising jurisdiction over such trust lands and, as of the date of enactment of this Act, such trust lands shall be held in trust by the United States solely for that constituent Band.

(b) LEGAL DESCRIPTIONS; RECORDATION.—No less than 90 days after enactment of this Act, the Secretary of the Interior shall cause a notice to be published in the Federal Register identifying the trust lands and constituent Bands referenced in subsection (a) and shall record the beneficial interests established upon transfer in subsection (a).

(c) LEGAL LAND DESCRIPTION REVIEW.—No legal land description review shall be required to make effective the transfer of beneficial interests in existing trust lands made pursuant to this Act.

(d) CERTAIN RIGHTS NOT AFFECTED.—Nothing in this Act shall (i) alter, or require the alteration of, any valid rights under any lease, easement, contract assignment or similar instrument entered into or issued prior to the enactment of this Act, or (ii) restrict the authority of the Secretary of the Interior with respect to any such rights.

**CURRENT LAND
TRANSFER BILL**

.....
(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R. _____

To transfer beneficial interests in lands held in trust by the United States for the Minnesota Chippewa Tribe to a constituent Band of the Tribe, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. STAUBER introduced the following bill; which was referred to the Committee on _____

A BILL

To transfer beneficial interests in lands held in trust by the United States for the Minnesota Chippewa Tribe to a constituent Band of the Tribe, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress finds as follows:

5 (1) The Minnesota Chippewa Tribal Executive
6 Committee is the duly elected governing body of the
7 Minnesota Chippewa Tribe, comprised of the fol-

1 lowing member reservations and constituent Bands:
2 Bois Forte, Fond du Lac, Grand Portage, Leech
3 Lake, Mille Lacs, and White Earth.

4 (2) Trust lands for each constituent Band with-
5 in the reservation of each respective constituent
6 Band will facilitate Band administration of certain
7 leases and other economic development opportuni-
8 ties, eliminate uncertainty associated with owner-
9 ship, and enable the fulfillment of treaty promises
10 premised on reservations for the use and benefit of
11 each Band.

12 **SEC. 2. INTER-TRIBAL TRANSFERS OF MINNESOTA CHIP-**
13 **PEWA TRIBE BENEFICIAL INTERESTS IN**
14 **TRUST LANDS.**

15 (a) IN GENERAL.—The beneficial interests in lands
16 held in trust on the date of the enactment of this Act by
17 the United States for the Minnesota Chippewa Tribe are
18 hereby transferred as follows:

19 (1) Such lands located within the reservation of
20 a constituent Band of the Minnesota Chippewa
21 Tribe to the constituent Band within whose reserva-
22 tion the land is located.

23 (2) Such lands not located within the reserva-
24 tion of a constituent Band of the Minnesota Chip-

1 pewa Tribe to the constituent Band whose reserva-
2 tion is closest to the land.

3 (b) STATUS OF TRUST LAND.—Upon the transfer of
4 the beneficial interests in the trust lands described in sub-
5 section (a), such lands thereafter shall be considered for
6 all purposes to be held in trust by the United States solely
7 for the constituent Band to whom the beneficial interest
8 is transferred.

9 (c) CONSTITUENT BAND OF THE TRIBE.—The term
10 “constituent Band of the Tribe” or “constituent Band”
11 means one of the following Bands of the Minnesota Chip-
12 pewa Tribe:

- 13 (1) Bois Forte.
- 14 (2) Fond du Lac.
- 15 (3) Grand Portage.
- 16 (4) Leech Lake.
- 17 (5) Mille Lacs.
- 18 (6) White Earth.

19 (d) LEGAL DESCRIPTIONS AND DOCUMENTS.—Not
20 later than 90 days after the date of the enactment of this
21 Act, the Secretary of the Interior shall have—

- 22 (1) published in the Federal Register a notice—
23 (A) describing the land subject to the
24 transfer of beneficial interests in the trust lands
25 pursuant to subsection (a); and

1 (B) identifying the constituent Band to
2 which the beneficial interest in that land was
3 transferred; and

4 (2) documented the transfers made by sub-
5 section (a) by appropriate order or other administra-
6 tive action, except that no legal land description re-
7 view shall be required to make effective the transfer
8 of beneficial interests in the trust lands described in
9 subsection (a).

10 (e) CERTAIN RIGHTS NOT AFFECTED.—Nothing in
11 this Act shall—

12 (1) alter, or require the alteration of, any valid
13 rights under any lease, easement, contract assign-
14 ment or similar instrument entered into or issued
15 before the date of the enactment of this Act; or

16 (2) restrict the authority of the Secretary of the
17 Interior with respect to any such rights.