



Indian Land Tenure Foundation

“Land within the original boundaries of every reservation and other areas of high significance where tribes retain aboriginal interest are in Indian ownership and management.”

2004 Annual Report

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Message from the President and Chairman



Indian Land Tenure
FOUNDATION

Dear Friends,

Throughout Indian country, the pressing issues of Indian land tenure seems daunting at times, but through those times we also get a chance to see what wonderful strides are made at local tribal levels.

It is the people, those determined individuals, demonstrating their leadership and showing us the way to reverse the course of land loss by developing effective models of land protection and restoration for the next generations.

We at the Indian Land Tenure Foundation truly believe in the cultural and spiritual strengths of our collective communities across this great land of ours. Therefore, in our annual report, we are pleased to showcase some of our outstanding grantees and projects.

In 2004 we targeted grants in the areas of Estate Planning by law school externs and Presentations of Tribal Land Histories to youth, tribal leaders and elders. We know that you will enjoy these stories and feel the sense of accomplishment that has been made by those who rarely think about how they are the change makers, educators and next leaders in Indian country for Indian land tenure issues.

Ben Black Bear, Jr.
Chairman

Cris Stainbrook
President

THE INDIAN LAND TENURE FOUNDATION

Message from the Vice President of Grants and Programs

As Vice President of Grants and Programs, I have the responsibility of working with our board in identifying particular areas of interest for our requests for proposals. This past year we identified two specific focus areas that included legal externs to work with Native people on estate planning and Tribal land tenure presentations to youth, tribal leaders and elders. This focus highlights the importance of education that empowers Indian people and uncovers the richness of our story. Two particular projects come to mind.

Extern Project with the University of Wisconsin

–Department of Rural Sociology

Two law school externs were placed at the White Earth Band of Ojibwe Land Department in Minnesota. The externs worked on 70 allotments with multiple ownership interests held by Band members as well as interests held by Indians from other Bands throughout Minnesota and Wisconsin. These owners have been waiting a number of years for the allotment titles to be updated in order to plan their next steps in estate planning.

Often times, along with routine property management documents, there were personal letters written over 80 years ago that tell the day to day experiences Indian people had dealing with their allotments. Many of those letters are tragedies of land loss, requests to sell inherited parcels, and questions about the alienability of their property. In one file, for example, a person can read the back and forth communication between the Bureau of Indian Affairs and a widow who needed to sell her allotment to feed her children. She did not receive the assistance requested and had to find other means to feed her children.

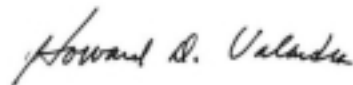
The Little Traverse Bay Bands of Odawa Indians

Telling the story of the tribal homelands to tribal member youth is very important to the Little Traverse Bay Bands of Odawa Indians in Michigan. Along with the oral history of land as told by elders, the Tribe sought information and data from records written in French by missionaries. Many of these documents contain information about Odawa cultural beliefs and practices, helping Tribal mem-

bers understand what has been carried forward, what has been adapted and what has been lost.

In initial research, the Band was able to locate and copy the first land purchase records out of federal holding from the 19th century. This exciting discovery affirmed many of the oral histories passed from generation to generation.

As you can see, the grants made by the Indian Land Tenure Foundation are making differences in small, but significant ways. The stories are real, moving and hopefully will encourage all of us to understand the importance of knowing about our land histories and how to preserve and protect each and every parcel of land entrusted to us for future generations!



Howard D. Valandra
Vice President of Grants and Programs

The Indian Land Tenure Foundation is a nonprofit organization that is organized and directed by members of the native land tenure community. The community includes Indian landowners, Indian people on and off reservations, Indian land organizations, tribal communities, tribal governments and others connected to Indian land issues.

The Indian Culture and Land Tenure Program/Tribal Land Tenure History Publication Request for Proposal was designed to help Indians become more informed about their relationship to the land by promoting and preserving tribal culture.

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS, MI - \$33,927

The Foundation approved a grant of \$33,927 to the Little Traverse Bay Bands of Odawa Indians for research of tribal land history and presentation to youth, elders, and Tribal leaders.

The Little Traverse Bay Bands of Odawa Indians became federally recognized on September 21, 1994. The Tribe is geographically located in northern Michigan with the treaties of 1836 and 1855 delineating the reservation area that encompasses a major portion of Emmett and Charlevoix counties. There are approximately 4,000 enrolled members.

The Tribe established the Tribal Archives and Records Department,

whose mission is to collect, preserve, manage and protect all significant records that contain information, knowledge and wisdom of the Tribe's past and current practices.

The Tribe proposed to connect the historical records already obtained with records researched. The results will be shared through presentations to youth, elders and Tribal leaders connecting the significance of the Tribe's land tenure with cultural land practices.

The Tribal land history will be researched and presented in three defined time periods:

- 1740-1830 the migration patterns of the Tribe along the northern and

southern tributary river valleys draining into Lake Michigan. Emphasis will be on the utilization of multiple resources over a wide geographic area during different seasons of the year.

- 1830-1870 land cessions and the creation of the Waganakising reservation. Seasonal activity continued, but confined closer to the reservation. Treaty land sales occurred and allotments were issued to Tribal members.

- 1870-1940 influxes of non-tribal members and movement from subsistence living of agricultural, fishing and hunting to wage labor.

Maps will be created showing pre-contact period and land tenure histories to 1940.



INDIAN LAND TENURE GRANTS APPROVED IN 2004

GRAND PORTAGE BAND OF MINNESOTA CHIPPEWA, MN - \$111,945

The Foundation approved a grant of \$111,945 to the Grand Portage Band of Minnesota Chippewa for the development and implementation of a land information data program for education of Tribal leaders, staff and members. The Band is located at the arrowhead of Lake Superior, with a land base of 47,000 acres of which 37,679 acres is tribally owned and 7,086 acres allotted. There is about 2,235 acres of non-trust land on the reservation comprised of federal, church and private ownership. Band membership is 790.

The Band is building an easy to use information system that collects, stores, reports, and disseminates information on the legal history of land within the Grand Portage Indian Reservation.

The result will be the development and implementation of the Grand Portage Land History Information System (GPLHIS). The GPLHIS will be an easy-to-navigate document with a map page and a page for each of approximately 1,500 parcels. It will list all dates and documents found for every acre

of land within the reservation.

In its simplest form, the GPLHIS can be described as an electronic book with text graphics and maps. The information collected will provide tribal leaders, staff and members with legal and historical information on reservation land to make informed decisions and provide connectivity for the landowners and their land data.



SALISH KOOTENAI COLLEGE, MT - \$92,700

The Foundation approved a grant of \$92,700 to Salish Kootenai College for research, documentation and display of the land history of the Salish, Kootenai and Pend d'Oreille Tribes from pre-contact to present time.

The Flathead Indian Reservation is located between Missoula and Kalispell, MT. It is home to the Confederated Salish and Kootenai Tribes. Of the 6,950 enrolled members, about 4,500 live on or near the

reservation. The reservation comprises over 1.2 million acres.

The development, publication and delivery of the Salish, Kootenai and Pend d'Oreille people is a joint effort by the tribes and college. The Salish Kootenai College-Native American Studies Department will compile and draft the narrative on the land history.

The Tribal history will be delivered via kiosk at the Tribal Peoples' Center in Pablo, Montana in order

to reach a wide audience including tribal adults and youth as well as visitors to the museum. Educating members to land history encourages individuals to learn more and consider management of allotted lands for better economic means and to reduce fractionation.

Future delivery of the information and data collection includes conferences, workshops and other forms of delivery.





UNITED TRIBES TECHNICAL COLLEGE, ND - \$93,900

The Foundation approved a grant of \$93,900 to United Tribes Technical College to develop a multi-media toolkit for delivery in college classrooms, high school classrooms and meetings of tribal landowners. It focuses on the history and cultural land practices of tribes in North Dakota and South Dakota and the innovative ways they are using their land for cultural enhancement.

The College developed materials for a toolkit that will be utilized by tribal colleges, high schools and on respective tribal web sites. The targeted age group is from 16 to 24. The project organizes the educational methodologies and resources leading to the offering of creative educational materials about Indian land tenure. The ultimate goal is better understanding of cultural land practices and Indian land own-

ership and management. Current cultural land practices are traced back to historical practices showing their influences on how far removed current cultural practices have become.

Established in 1969, United Tribes Technical College is an intertribally owned residential postsecondary vocational, technical institution in Bismarck, ND. It serves over 800 American Indian students.

MIAMI TRIBE OF OKLAHOMA, OK - \$20,210

The Foundation approved a grant of \$20,210 to the Miami Tribe of Oklahoma to develop and present a community-based education program sharing cultural land history.

The Tribe linked the historical connection of the current land base with lost homelands when they were forcibly removed from Indiana, Ohio, Illinois, southern Michigan and Wisconsin to Kansas and then to Oklahoma.

The Miami Tribe's community-based education program shares cultural information including tra-

ditional ecological practices and knowledge to help Tribal members understand their place, history and life ways connecting past homelands to current homelands and the effects of removal.

The Tribe is located on allotment lands on the Osage Reservation in Northeast Oklahoma. The jurisdiction area of the Tribe is 25,000 acres with the Tribe owning 1,400 acres of which 120 are in trust. Enrollment is 2,940 members with 1,200 living on or near the current reservation.

The Tribe's Cultural Preservation Office coordinates research activities with Miami University in Oxford, Ohio. A number of tribal members attend the University allowing them to participate in the project and several are assigned key roles in the research of materials, putting together the presentations (PowerPoint, DVD and written materials) and participating in the delivery at the annual gathering in June 2005.

2004 GRANTS

TAMÁSTSLIKT CULTURAL INSTITUTE, OR - \$30,400

The Foundation approved a grant of \$30,400 to Tamástslíkt Cultural Institute for the editing and publication of a Tribal Cultural Atlas. The Tamástslíkt Cultural Institute was opened in 1998 by the Confederated Tribes of the Umatilla Indian Reservation.

The Umatilla Indian Reservation is located in eastern Oregon with a population of 2,446 and consists of 172,000 acres.

The Tamástslíkt Cultural Institute reformatted a variety of documents and records describing geographical and cultural places throughout the homelands of the Cayuse, Umatilla and Walla Walla Tribes into a commonly agreed upon format pertaining to “Tribal” affiliations of sites.

A Tribal Cultural Atlas is being published not exclusive to native place names on a map, but incorpo-

rating other cultural information relevant to locations with explanations of the language of the land. The atlas will be made available to tribal members and the general public. Sacred or protected sites will be restricted in presentation allowing for understanding of the sites, but not revealing significant details that could result in disturbance or exploitation.

The Legal Extern Request for Proposal was designed to inform and provide estate planning and will writing services to individual Indians.

ALASKA LEGAL SERVICES CORPORATION, AK - \$79,518

The Foundation approved a grant of \$79,518 to the Alaska Legal Services Corporation for placement of a legal extern for a period of one year.

The primary task of the extern was to clarify issues and consequences surrounding Alaskan native allotments. A strong emphasis was placed on research producing drafts of probate procedures,

advice, and tribal codes. The extern performed research on the misdeed-ing of land by town site trustees, the correction of legal descriptions of properties, and the retribalization of Native lands.

The extern also addressed the fractionation of Native allotments near Kotzebue, providing direct services to landowners clarifying

issues on land holdings and assisting with the preparation of wills. The direct service also included presentations to Tribal councils and at the annual Tribal Conference.

Educational materials, model codes and power point presentations were developed and shared with all Alaska tribes and posted on ALSC’s website.





UNIVERSITY OF IDAHO - COLLEGE OF LAW, ID - \$653,026

The Foundation approved a grant of \$653,026 to the University of Idaho - College of Law over two years to provide information to tribal members regarding estate planning and provide legal services to tribal members and drafts wills for tribal land owners.

The University of Idaho - College of Law directed and coordinated a

pilot project - the Indian Estate Planning Project - on reservations in Idaho, Washington, and Oregon. The project strives to empower tribal members by informing and educating them about wills and estate planning, to provide the legal services needed to implement decisions, and to help preserve Indian lands.

Project personnel, externs, super-

vising attorneys, and law school liaisons presented estate planning information to 15 tribal communities. Externs also traveled to reservations to meet with tribal members to inform them of estate planning and to gather information from individuals wishing to have a will prepared and actually drafting wills.

DAKOTA PLAINS LEGAL SERVICES, SD - \$423,780

The Foundation granted \$423,780 to Dakota Plains Legal Services over three years to provide community education and outreach with legal services. Dakota Plains Legal Services (DPLS) provides legal services to clients on all reservations in South Dakota and one reservation in North Dakota.

DPLS aim is to promote Indian land management decisions consistent with individual self-determination and tribal sovereignty. The pro-

ject's approach is to: 1) provide extensive community education regarding trust land fractionation and legal options available to native land owners; and 2) provide legal services necessary to enable the landowners to turn the information they obtain through the community education efforts into the action required to accomplish their land tenure goals.

DPLS has found that community education efforts resulted in an

increase in the number of landowners seeking legal services from its offices.

Paralegals also travel to urban areas (Rapid City, Pierre, and Sioux Falls in South Dakota and Bismarck in North Dakota) throughout the year to meet with landowners living off the reservation who have allotments or fractionated interest in allotments.

2004 GRANTS

UNIVERSITY OF WISCONSIN-DEPARTMENT OF RURAL SOCIOLOGY, WI -\$12,549

The Foundation granted the University of Wisconsin \$12,549 to place two externs at the White Earth Band of Ojibwe Land Department and Planning Office to clarify the status of allotment lands held by tribal members and provide education and outreach about land-related topics such as fractionation and the importance of estate planning.

The White Earth Band of Ojibwe Reservation encompasses about

1,300 square miles in northwestern Minnesota. Most of the land is no longer Indian-owned due to allotment and tax forfeiture losses in the early 20th century. Today, about 10% of the original reservation is Indian-owned. There are 34-50 allotments left in Indian ownership on the reservation.

The externs provided significant benefits during their placement, including: clearing status on allot-

ments, reviewing plans to accelerate future land fee-to-trust processes, updating numerous allotments to a point where no further BIA probate action is necessary, stopping the probate of fee land by the BIA, identifying acres of land with incomplete recordings at the county recorder office, and updating ownership records.

This Special Project addressed important easement and right-of-way regulations.

AFFILIATED TRIBES OF NORTHWEST INDIANS - ECONOMIC DEVELOPMENT CORPORATION, WA - \$6,000

The Foundation approved a grant of \$6,000 to Affiliated Tribes of Northwest Indians - Economic Development Corporation (ATNI-EDC) to provide support for the Tribal Easement and Right-of-Way Regulation and Negotiation Training.

In this training session, ATNI-EDC provided information on easements and right-of-way concerns. This two-day comprehensive session was intended to teach participants about the rights of tribes when Indian lands are crossed by utility, telecom, or other industries.

ATNI has been working collectively for almost 50 years to advocate for tribal sovereignty and protect tribal treaty rights. Membership is through tribal resolution and appointment by the tribal council to become part of the ATNI General Assembly.



2004 Donations

DONATIONS OF \$1,000 OR MORE

Fiduciary Management, Inc.
First National Bank
Foundation for Community Vitality
GSB Construction Management Services Inc.
ISHPI
Seven Clans Casino Thief River Falls
Jo-Anne E. Stately

DONATIONS \$500 - \$999

Gerald Sherman
Minnesota Indian Economic Development Fund
Howard D. Valandra

DONATIONS \$100 - \$499

American Indian Policy Center
Aaron Barr
Victor Barr
Berthel Schutter, LLC
Binder Heating & AC, Inc.
Theresa Carmody
Patricia Chase
Brian Collins
Crowley, White & Associates, Inc.
Dan-Bar Homes, LTD
Virgil Dupuis
Grand Portage Band of Minnesota Chippewa
Margie Hutchinson
Velma Kimsal
Lundrigan's
Marketing Incentive Resources, Inc.
Menards
Pepsi/NEI Bottling Company
Piper Jaffrey
POPP Communications
Randi Roth
Diana Schutter
David Tovey
Janet Hamilton Triplett Trust
James E. Ulland
Yavapai-Apache Nation
ZeVan Corporation

DONATIONS UNDER \$100

American Association of University Women-
St. Paul Chapter
Conscious Change/Donate.net
Kathy Denman-Wilke
Larry Erickson
First Universalist Church
Richard Garland
Vonda Gluck
Sherry Gray
Arvel Hale
Jean Hart
IGive.com
Ralph Jersild Jr.
Donovan T. Kelly
Law Office of Maureen McCormach
Georgia Lickness
James M. Lutz
Terry L. Maltarich
Media Workshop, Inc.
Douglas Nash
Northland Native American Products
Andrew F. Pooler
Ross Racine
Jessica Lea Ryan
S & T Office Products, Inc.
Alicia Smith
Woodland Indian Crafts

HOW TO APPLY FOR A GRANT

HOW TO APPLY FOR A GRANT

The Indian Land Tenure Foundation offers grants at various times throughout the year that are project specific and address Indian land tenure issues. Funding is available throughout Indian country.

Eligible organizations include, but are not limited to, tribal entities, Indian nonprofits, and nonprofits whose work aligns with the mission of the Indian Land Tenure Foundation. Requests for Proposals are posted on our website at:

www.indianlandtenure.org

For application guidelines and future requests for proposals contact:

Howard D. Valandra
Vice President of Grants and Programs
hvalandra@indianlandtenure.org

or by writing or calling:

Indian Land Tenure Foundation
151 East County Road B2
Little Canada, MN 55117
651-766-8999

FUNDING PRIORITIES

The Indian Land Tenure Foundation will be focusing on the strategies centered on education, culture, economy and legal reform. Proposed projects must demonstrate activities directly benefiting the Indian land tenure community and must address at least one of the following Indian Land Tenure Foundation strategies:

1. Educate every Indian landowner about land management, ownership and transference issues so that knowledge becomes power when decisions about land assets are made.
2. Increase economic assets of Indian landowners by helping them gain control of Indian lands and by creating financial models that convert land into leverage for Indian owners.
3. Use Indian land to help Indian people discover and maintain their culture.
4. Reform legal mechanisms related to the recapture of physical, cultural and economic assets of Indian people and strengthening sovereignty within Indian land.

“We will protect our culture, history and relationship to the land and all that surrounds us in ways that will support and provide for each of us and for our future generations.”

2004 FINANCIAL STATEMENTS

ASSETS

CURRENT ASSETS

CASH	1,562,087.06
FIXED INCOME	6,757,843.93
EQUITIES	13,818,671.24
INTEREST RECEIVABLE	58,234.00
PLEDGES/GRANTS/ACCT RECEIVABLE	100,000.00
PREPAID EXPENSE	<u>33,460.78</u>
TOTAL CURRENT ASSETS	22,330,297.01

PROPERTY AND EQUIPMENT

LAND	43,125.00
BUILDING & IMPROVEMENTS	373,821.89
ACC. DEPRECIATION - B/I	(36,266.43)
FURNITURE AND FIXTURES	22,648.17
ACC. DEPRECIATION - F/F	(7,893.80)
EQUIPMENT	105,433.59
ACC. DEPRECIATION - EQUIPMENT	(73,901.40)
TOTAL PROPERTY AND EQUIPMENT	426,967.02

OTHER ASSETS

TOTAL OTHER ASSETS	0.00
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TOTAL ASSETS	22,757,264.03
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LIABILITIES AND NET ASSETS

CURRENT LIABILITIES

ACCOUNTS PAYABLE	34,298.04
GRANTS PAYABLE - CURRENT	455,388.00
ACCRUED PAYROLL	7,398.37
PAYROLL TAXES PAYABLE	5,843.43
DEFERRED REVENUE	<u>100,000.00</u>
TOTAL CURRENT LIABILITIES	602,927.84

LONG-TERM LIABILITIES

GRANTS PAYABLE - LT	822,149.00
TOTAL LONG-TERM LIABILITIES	<u>822,149.00</u>

TOTAL LIABILITIES	1,425,076.84
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NET ASSETS

UNRESTRICTED NET ASSETS	21,160,913.22
NET INCOME	<u>171,273.97</u>
TOTAL NET ASSETS	21,332,187.19

TOTAL LIABILITIES & NET ASSETS	22,757,264.03
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REVENUES AND EXPENDITURES

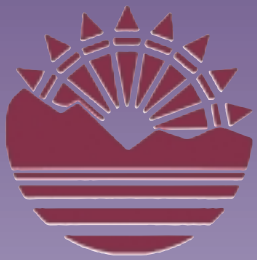
Revenues

Fundraising Income	18,457.11
Grants & Awards	229,800.00
Interest and Investment Income	2,739,702.95
Other Income	<u>156,567.09</u>
Total Revenue	3,144,527.15

Expenditures

Salaries/Taxes/Benefits	585,569.19
Grants & Allocations	1,738,105.00
Grant Program Costs	87,870.16
Community Involvement	750.00
Investment Costs	100,083.00
Audit/Legal/Consulting	41,677.98
Communication	16,044.81
Board Expenses	50,493.30
Meetings/Travel	65,353.89
Fundraising Activities	42,635.64
General Office Expenses	39,787.17
Fiscal Agency Payments	153,854.38
Depreciation	<u>51,028.66</u>
Total Expenditures	2,973,253.18

Revenue over Expenditures	171,273.97
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INDIAN LAND TENURE FOUNDATION

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