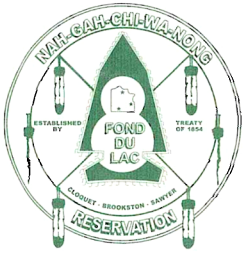


Fond du Lac Band of Lake Superior Chippewa Reservation Business Committee

1720 Big Lake Rd.
Cloquet, MN 55720
Phone (218) 879-4593
Fax (218) 879-4146

May 30, 2012

The Honorable Chip Cravaack
508 Cannon House Office Building
Washington, D.C. 20515



Re: The Minnesota Education Investment and Employment Act

Dear Representative Cravaack:

We oppose the passage of the Minnesota Education Investment and Employment Act until suitable tribal consultation has occurred. The Fond du Lac Band of Lake Superior Chippewa Reservation Business Committee is opposed to the Minnesota Education Investment and Employment Act's exchange of over 86,000 acres of land within the 1854 Ceded Territory without any tribal participation in task force meetings or consultation.

The Fond du Lac Band and the other signatories of the 1854 Treaty of LaPointe, 10 Stat. 1109, retain hunting, fishing, and other usufructuary rights that extend throughout the entire northeast portion of the state of Minnesota (the "Ceded Territory"). In the Ceded Territory, all the Bands have a legal interest in protecting natural resources and all federal agencies share in the federal government's trust responsibility to the Bands to maintain those treaty resources.¹ State agencies also have executive orders affirming the government-to-government relationship between the State of Minnesota and Indian tribal governments located within the State.²

The Minnesota Education Investment and Employment Act concludes that it will not affect usufructuary rights and concludes that the exchange of more the 86,000 acres without government-to-government consultation "[s]hall not be considered to be a major Federal action." We disagree with those conclusions and therefore request consultation regarding the proposed land exchange within the Ceded Territory.

Thank you for your consideration.

Sincerely,

Karen R. Diver
Chairwoman

¹ See Exec. Order No. 13,175, Consultation and Coordination with Indian Tribal Governments, 65 Fed.Reg. 67429, 67252 (requiring agencies to honor tribal treaty rights and mandating consultation with tribes).

² See Minnesota Exec. Order No. 03-05, Affirming the Government-to-Government Relationship Between the State of Minnesota and Indian Tribal Governments Located Within the State, <http://www.leg.mn/archive/execorders/03-04.pdf> (mandating consultation with tribes).

Chairwoman
Karen R. Diver

Secretary/Treasurer
Ferdinand Martineau, Jr.

Dist. I Representative
Wally Dupuis

Dist. II Representative
Sandra M. Shabiash

Dist. III Representative
Mary S. Northrup

Executive Director,
Tribal Programs
Chuck Walt