



December 11, 2023

Via Email

Senator Mary Felzkowski
Wisconsin Legislature
P.O. Box 7882
Madison, WI 53707-7882
(608) 266-2509
Sen.Felzkowski@legis.wi.gov

Dear Sen. Felzkowski,

On behalf of the Lac du Flambeau Band of Lake Superior Chippewa Indians (the "Tribe"), please consider this letter a response to your December 5, 2023 letter concerning the decision made by the Joint Committee on Finance (the "Joint Committee") to exclude the Tribe from receiving \$1,000,000 in Tribal Assistance Grant Program funds.

Plainly stated, the decision of the Joint Committee is extremely short sighted, discriminatory, and disrespects the sovereignty and self-determination of the Tribe. Your letter seems to echo this sentiment, implying a punitive response to our legitimate exercise of sovereignty in protecting our lands. Regrettably, this is not the first instance of such treatment by the State of Wisconsin, and we anticipate it won't be the last.

In 1837 and 1842, our ancestors signed treaties with the United States ceding millions of acres of land that enabled Wisconsin to be admitted to the Union as the 30th state. Due to further encroachments by white settlers for over a decade, our ancestors again signed another treaty in 1854 ceding additional lands to the United States in exchange for a permanent homeland, the current Lac du Flambeau Indian Reservation (the "Reservation"). The General Allotment Act, a late 19th century federal policy, promoted the allotment of tribally held lands to individual Tribal Members, whereby those lands eventually were acquired by non-Tribal Members. This allotment scheme was crafted to divest the Tribe of its land base in the hopes that we would eventually go away. Thankfully, the early 20th century ushered in a new federal policy that repudiated allotment of tribal lands and instead promoted tribal land consolidation and the significance of reservations as permanent homelands for tribes and Indian people.

The Lac du Flambeau Indian Reservation is our only home. The 1854 Treaty created it and is still the law of the land. In your letter you state that you don't have an issue with the Tribe safeguarding our territorial jurisdiction, yet at the same time you want to punish us for taking these steps. The situation you refer to as "the barricade crisis" merits a broader understanding. It is not merely a dispute with non-Tribal Members over land rights but a reflection of our enduring struggle to protect what little we have left of our ancestral lands. The comparison to a dispute between private landowners oversimplifies the deep-rooted and complex nature of this issue.

What you and the other members of the Joint Committee have done, by withholding funds from our Tribe and the Bad River Band of Lake Superior Chippewa Indians, is patently wrong and discriminatory. Those non-Tribal landowners who purchased fee simple lands on our Reservation should be suing the title companies that issued faulty insurance policy commitments for their warranty deeds and the Town of Lac du Flambeau for committing fraud with their assurances of public access over lands that they have no legal interest in. You and the Joint Committee should be assisting those landowners with those fights. Instead, you, the Joint Committee, and others want to vilify the Tribe for safeguarding our territorial jurisdiction.

Lac du Flambeau Band of Lake Superior Chippewa Indians

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Within your letter you make uninformed claims, cast judgment, and simplify an effort we have been working on for more than a decade without the Town taking meaningful action, much less engaging in a genuine manner. For you to say "good actors don't give their neighbors 24 hours' notice before barricading them in their homes" is uninformed rhetoric. For you to cite a veteran waiting to go to the hospital, simplifies, and disregards all of the effort we made through our Tribal police department, human services, and other programs to support people impacted by the road closures.

It is important for people to understand what the title companies were asking for easements longer in length than what a Tribal Member could receive under Tribal law. The Town and title companies want the Tribe to give them "right of way" access forever. Essentially, they are asking us to give up our land. We have given up millions of acres of land over generations. We now live on a 12-by-12 square mile piece of land known as a Reservation. This is all we have left.

The Town of Lac du Flambeau and the title companies, however, repeatedly tried to circumvent the negotiations with the Tribe over 10 years. By acting disingenuously and delaying the process of securing 25-year easements, we arrived at this point. Anyone who has dealt with government and lawyers, can just imagine how quickly the costs added up.

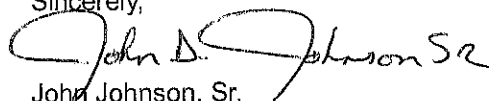
The Tribe feels for the property owners impacted by the actions of the Town and the Title Companies. In fact, we share in their frustration and can relate. We're hearing many property owners feel like the Town and the title companies misled them and are currently running them around in circles rather than solving the matter.

We hope this letter provides you with a better understanding of the history of trespass and mistreatment the Tribe has faced, forcing the Tribe to take action to enforce its rights. We hope that you will direct your outrage to the parties truly responsible for this, while upholding your duty to protect all citizens you are sworn to advocate for, including Lac du Flambeau Tribal Members.

For these reasons and many others related to actions over more than a century, we are going to work to right the wrongs of the past and will no longer tolerate abuse of our people or our land. We have a 12-by-12 square mile reservation to call home. We have to do all we can to preserve and protect our current land for future generations after ceding millions of acres of land in exchange for this small piece of property we now call home.

Please feel free to call me at (715) 588-3303 and contact me via at jjohnsonsr@ldftribe.com.

Sincerely,

A handwritten signature in black ink that reads "John D. Johnson Sr." The signature is written in a cursive, flowing style.

John Johnson, Sr.
President