



# TRIBAL RELATIONS HANDBOOK

*A Guide for State Employees on Preserving the State-Tribal Relationship*



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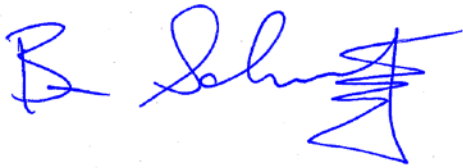
[www.tribalnations.mt.gov](http://www.tribalnations.mt.gov)

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Dear State of Montana Employee:

It's my pleasure to present the Tribal Relations Handbook, a Guide for State Employees on Preserving the State-Tribal Relationship. I hope you find it useful in your day-to-day work with tribal governments and Indian people.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Schweitzer". The signature is stylized and fluid, with a large initial "B" and a long, sweeping underline.

BRIAN SCHWEITZER  
Governor

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## I. PURPOSE OF THIS HANDBOOK

By the time Montana entered statehood in 1889, tribal cultures flourished in these lands for many millennia. Indian nations have a long history here, and will continue to play a vital role in shaping the future. The State of Montana is committed to strong tribal relations, guided by the principles of:

- mutual understanding and respect;
- regular and early communication;
- cooperation and collaboration;
- accountability in addressing issues of mutual concern; and
- preservation of the state-tribal relationship.

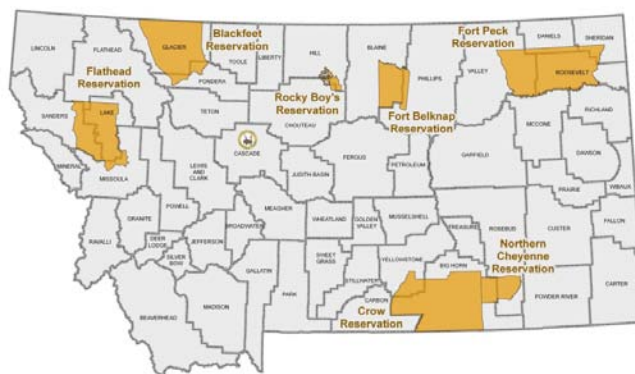
These principles are reflected in state law. §2-15-142, MCA. This Handbook, produced by the Montana Office of Indian Affairs, is for the purpose of assisting state employees to understand and implement these principles in their work with tribal governments and Indian peoples.

## II. MUTUAL UNDERSTANDING AND RESPECT

Fundamental to working effectively with a tribal government or Indian peoples is an understanding of the history, culture and present concerns of individual Tribes. Tribes are very different from each other, and state employees who work with Tribes should take the time to educate themselves about their unique characteristics.

As a starting point, this Handbook provides basic background information on each of the eight tribal governments located within Montana.

### A. Map of Indian Reservations Located in Montana



## B. Background Information on the Eight Tribal Governments Located in Montana

### Blackfeet Nation

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The Blackfeet Reservation, headquartered in Browning, encompasses approximately 1.5 million acres and is also the largest Indian population in Montana.

There are three branches of the Blackfeet peoples—the Northern Blackfeet (Siksika), the Blood and the Piegan or Pikuni.



The tribe call themselves “Niitsitapi” meaning “the real people.”

### Chippewa Cree Tribe

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Home to the Chippewa Cree Tribe, the Rocky Boy’s Reservation is headquartered in Rocky Boy’s Agency, encompasses approximately 122,000 acres.

The reservation is home to 55% of the 6,177 enrolled Chippewa Cree tribal members.



The name "Rocky Boy" was derived from the name of a leader of a band of Chippewa Indians. It actually meant "Stone Child," but it was not translated correctly from Chippewa into English, and "Rocky Boy" evolved.

The tribe call themselves “Ne Hiyawak” meaning “those who speak the same language”.

## Confederated Salish & Kootenai Tribes

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Headquartered in Pablo, the Flathead Reservation has a land base of approximately 1.3 million acres.

The reservation is home to 65% of the 7,443 enrolled Confederated Salish and Kootenai tribal members.

The Flathead Indian Reservation is home to three Tribes, the Bitterroot Salish, upper Pend d'Oreille and Kootenai.

The name the Salish people used to describe themselves is "Sqelixw" and the Kootenai call themselves "Ktunaxa."



## Crow Nation

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The Crow Reservation, headquartered in Crow Agency, is the largest reservation in Montana encompassing approximately 2.2 million acres.

The Crow Tribe has a membership of 11,000, of whom 7,900 reside on the Crow Indian Reservation.

The tribe is originally called "Apsáalooke," meaning "children of the large-beaked bird." White men later misinterpreted the word as "Crow."

Eighty-five percent of tribal members living on the reservation speak Crow as their first language.

## Fort Belknap Assiniboine & Gros Ventre Tribes

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Fort Belknap Reservation, headquartered in Fort Belknap Agency, has a land base of 652,000 acres.

There are 6,693 enrolled tribal members, of whom 3,429 live on or near the reservation.

The reservation is home to two Tribes, the Assiniboine and the Gros Ventre.

The Assiniboine refer to themselves as “Nakoda” meaning the “generous ones.”



The Gros Ventre call themselves “A-A-NI-NIN” meaning “white clay people.”

## Fort Peck Assiniboine & Sioux Tribes

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The Fort Peck Reservation, headquartered in Poplar, is the second largest reservation in Montana covering over two million acres of land.



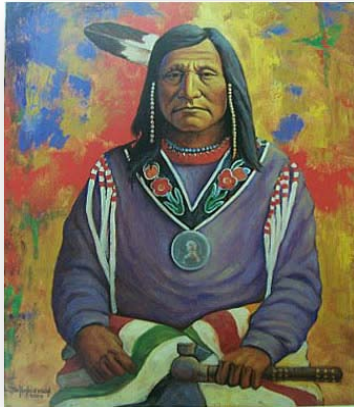
There are an estimated 11,786 enrolled tribal members, of whom approximately 6,000 reside on or near the reservation.

Fort Peck Reservation is home to two Indian nations, the Assiniboine & Sioux Tribes, each composed of numerous bands.

The Assiniboine refer to themselves as “Nakona” and the Sioux call themselves “Dakota.”

## Little Shell Tribe of Chippewa Indians of Montana

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The Little Shell Tribe of Chippewa Indians of Montana is a band of the Chippewa Indians headquartered in Great Falls, Montana.

The Little Shell enrollment total is 4,500 tribal members.

The tribe is recognized by the State of Montana.

## Northern Cheyenne Tribe

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The Northern Cheyenne Reservation encompasses 440,000 acres of land, with Lame Deer serving as tribal headquarters.

Nearly 55% of the 9,043 enrolled tribal members live on the reservation.

The tribe call themselves “Tsis tsis'tas” meaning “the beautiful people.”



### C. Annual Training for State Employees

The Office of Indian Affairs hosts an annual training for state employees on the legal status of Tribes, the legal rights of tribal members, and the social, economic and cultural issues of concern to Tribes. §2-15-143(1), MCA. State employees are strongly encouraged to attend the training.

## **D. Other Online Resources**

Additional online state resources on Tribes, tribal governments and more can be found at:

- Governor's Office of Indian Affairs  
[www.tribalnations.mt.gov/resources.asp](http://www.tribalnations.mt.gov/resources.asp)
- Montana Office of Public Instruction  
[www.opi.mt.gov](http://www.opi.mt.gov)
- Montana/Wyoming Tribal Leaders Council  
[www.mtwytlc.com](http://www.mtwytlc.com)

## **III. REGULAR AND EARLY COMMUNICATION**

Regular and early communication between the State and the Tribes is the foundation of strong state-tribal relationships. Both sovereigns engage in activities which directly impact each other. Strong communication about these matters prevents misunderstandings and contributes to the efficient functioning of both governments. The State of Montana encourages state-tribal communication in the following ways:

### **A. The Governor**

The Governor meets and consults annually with tribal leaders. §2-15-143, MCA. During these consultation meetings, the Tribes and the State discuss rules and policies that impact tribal governments or peoples and potential solutions to any concerns that are raised. The Governor and his staff also travel extensively in Indian Country and maintain open communication with tribal leaders throughout the year.

### **B. The Montana Office of Indian Affairs**

The Montana Office of Indian Affairs (OIA), established in 1951 by the state legislature as part of the Governor's Office, facilitates effective tribal-state communications with special attention given to the issues that Indian peoples face regarding their unique political status and as full citizens of the State of Montana. The OIA is a liaison between the State and the Tribes and promotes economic development, environmental stewardship, education, support for social services, and enduring good will.

The State Director of Indian Affairs seeks consensus between the State and the Tribes on shared goals and principles, while serving the Governor’s cabinet, the state legislature, and the Montana congressional delegation as an adviser and intermediary in the field of Indian Affairs. §90-11-101–102, MCA.

In carrying out these duties, the Director:

- Maintains effective tribal-state communications;
- Meets with state agency directors on issues concerning tribal governments and Indian peoples;
- Acts a liaison for tribes and Indian people, whether the Indian people reside on or off reservations, whenever assistance is required;
- Reports to and advises the Governor’s cabinet and in a member of the cabinet;
- Reports to and advises the legislative and executive branches’
- Advises the Montana Congressional Delegation;
- Prepares by September 15 of each year a report to the Tribes of the state-tribal activities for the prior state fiscal years. § 2-15-143(4), MCA; and
- Serves on the following advisory councils and boards: State Tribal Economic Development Commission, the American Indian Monument and Montana Tribal Flag Circle Advisory Committee, Montana Board of Veteran Affairs, Interagency Coordinating Council and an advisory group on renaming geographic sites.

### **C. State Agencies and Departments**

State agencies and departments work on the ground in Indian Country in all areas: human services, economic development, environmental issues, tax compacts, law enforcement and education.

Pursuant to state statute, agencies must submit a report to the Governor’s Office by August 15 of each year, detailing these activities. § 2-15-143 (3), MCA. There is also a “State-Tribal Activities Database (STAD)” in which details the major state-tribal cooperative work is recorded. The STAD database is managed by the Governor’s Office, but state Agency and Department personnel are responsible for inputting data and keeping the data current.

The information in the STAD database is relied upon by the Governor's Office to prepare the annual State-Tribal Relations Report to Tribes, and to keep the Governor's Office fully informed of the major state-tribal activities. The data is also used by state departments and agencies in their work with Tribes.

#### **D. Communication Protocol with Tribal Governments**

If state employees should need to contact the tribal chair/president directly they should work with your department director and the Governor's Office of Indian Affairs for advice on proper protocol, as it varies from tribe to tribe. This may involve a request for authorization to work with appropriate tribal government staff.

Many state agencies have a tribal counterpart at each tribal government. For example, the Montana Department of Public Health & Human Services works closely with each respective, Tribal Health Department, from each tribe.

Correspondence should be addressed to the respective tribal chair/president.

Tracking Process:

- Mail letter of request or invitation
- Email the letter of request or invitation
- Fax the letter of request or invitation-if confirmation is a concern, re-fax if necessary
- Phone call to follow-up

In communicating with the Tribes, state agencies and departments are encouraged to consult with the Governor's Office of Indian Affairs with regard to specific questions or for advice. In general, when communicating with Tribes, the OIA recommends as follows:

- *Tribal Involvement with State Agencies or Departments*
  - The rule is to include Tribes **before** the pencil hits the paper, not when it's time to sign in ink.
  - The goal with tribal governments is to include them early, invite them always, follow-up every time, meet with them regularly and ask them how to best work together.

- Quality Control: Make sure that your meetings offer a value that is worthy of every person’s time, effort, and expense and applies to reservations, Tribes and tribal members.
- *Meetings with Tribal Leaders*
  - Create a welcoming environment.
  - Shake hands and introduce yourself.
  - Include the option to begin your event with a prayer.
  - When elders speak, give them the courtesy of your patience and respect. Your regard of tribal elders is a reflection on your department and the state.
  - Offer refreshments, including diabetic diet guidelines.
  - Provide maps of the location of the meeting.
  - Provide handouts when possible.
  - Often, tribal leaders and tribal elders travel with family members. Be prepared to include them in the meeting area or designate a comfortable waiting area.
  - When possible, schedule conference calls and webinars to reduce travel expenses for the Tribes and the State.
- *Culturally Appropriate Gifts*
  - Personal, reflective of work and relationship.
  - It is appropriate to give gifts when you ask an elder or tribal leader to pray or sing tribal songs at an event or when you want to honor a person.
  - When in doubt, contact the Governor’s Office of Indian Affairs for advice.

#### **IV. COOPERATION AND COLLABORATION**

Intergovernmental cooperation serves the interests of all Montana citizens while ensuring respect for the sovereign authority of both governments, state and tribal. As of the writing of this Handbook, the State-Tribal Activities Database includes hundreds of agreements or cooperative projects in effect between the Tribes and the State of Montana. The primary state statute which enables state-tribal cooperation is the *State-Tribal Cooperative Agreements Act*, §§18-11-101, *et seq.*, MCA. The Act promotes state-tribal cooperation with regard to mutually beneficial activities and services. The Act also

provides for tax revenue sharing to prevent the possibility of dual taxation by governments while promoting state, local and tribal economic development. §18-11-101 (2)-(3), MCA.

Some examples of work undertaken pursuant to the State-Tribal Cooperative Agreement Act include:

- *Human Services*: Title IV-E Foster Care; Montana Tobacco Use Prevention Program; Temporary Assistance for Needy Families; Low Income Energy Assistance Program; Women, Infants and Children Nutrition Program; Medicaid Eligibility Determination; Medicaid Administrative Match; Emergency Preparedness; Other contracts (HIV, Manpower, etc.)
- *Transportation Infrastructure*: Tribal Employment Rights Ordinance MOUs/Highway Construction Project Specific Agreements
- *Tax Revenue Sharing*: Motor Fuel – see also §§ 15-70-234 – 236, MCA (requires review by the Revenue and Transportation interim legislative committee); Alcohol; Tobacco; Oil and Natural Gas.
- *Fish and Wildlife Management*: joint management and licensing agreements; joint technical committees which develop fish and wildlife management recommendation for state and tribal governments; and wolf depredation MOUs.

Other important state statutes which encourage State-Tribal cooperation include:

- Water Compacts, § 2-15-121, MCA; §§ 85-20-201, *et seq.*, MCA.
- Indian Education for All, §§20-1-501, *et seq.*, MCA.
- Treasure State Endowment Program, §§ 90-6-701, *et seq.*, MCA.
- Coal Board grants, §§ 90-6-201, *et seq.*, MCA.
- Hiring preference for state construction projects on the reservation, § 18-1-110, MCA.
- Hiring preference for state jobs within Indian reservations, § 2-18-111, MCA.
- State-Tribal Economic Development Commission, §§ 90-1-131 – 135, MCA.
- Jurisdiction on Indian Lands, §§ 2-1-301 – 307, MCA (implements PL-280 on the Flathead Reservation).
- Cigarette, tobacco products, and moist snuff sales tax -- exemption for sale to tribal member, § 16-11-111, MCA.
- Montana Procurement Act, §§18-4-401— 407, MCA, provides for cooperative purchasing and other agreements with tribal governments.
- Human Skeletal Remains and Burial Site Protection, §§ 22-3-801 – 811, MCA.
- Repatriation of Human Remains and Funerary Objects, §§ 22-3-901 – 921, MCA.

- Traditional Arts and Crafts Account, § 22-2-701, MCA. For the purchase of pieces by American Indian master artists.
- Full faith and credit for tribal court child custody and child support orders, § 40-7-135 (2); 40-5-103 (20), MCA. Cooperative agreements to enforce child support orders, § 40-5-264, MCA.
- Full faith and credit for tribal court domestic violence protection orders, § 40-15-402 (7).

## **V. ACCOUNTABILITY**

Like good communication, accountability in addressing issues of mutual concern is critical for the long-term success of the state-tribal relationship. The primary means of ensuring accountability is regular state-tribal communication and consultation. Further, the Montana Office of Indian Affairs produces an annual Tribal Relations Report, which includes an appendix of all state-tribal cooperative efforts. The appendix includes a state contact person for every listed project or program. The easy availability of this information ensures that the state and tribal staff persons responsible for program implementation on the ground can contact each other directly. It is the obligation of state departments and agencies to maintain open and regular communication with the Tribes, and to be responsive to tribal requests for information.

## **VI. PRESERVATION OF THE STATE-TRIBAL RELATIONSHIP**

In the same way that tensions can sometimes exist between friendly nations, the State and the Tribes will experience times of disagreement. Adherence to the fundamentals of the government-to-government relationship outlined in this Handbook becomes even more important during these times: mutual understanding and respect; regular and early communication; cooperation and collaboration; and accountability in addressing issues of mutual concern. A commitment to these principles will preserve the long-term strength of state-tribal relations, and reduce misunderstanding and unnecessary conflict.

## **VII. TRIBAL GOVERNMENT CONTACT INFORMATION**

It is essential that state agency correspondence contains accurate tribal contact information including the current president/chair. The Governor's Office of Indian Affairs maintains a current list of tribal councils including downloadable mail merge documents in Microsoft Excel and Word, please see <http://www.tribalnations.mt.gov/resources.asp>.

The following are official names and contact information of each executive governing body that the State of Montana maintains a government-to-government relationship with:

**Blackfeet Tribal Business Council**

PO Box 850 | All Chiefs Square  
Browning, MT 59417  
(406) 338-7521 Phone  
(406) 338-7530 Fax

**Chippewa Cree Tribal Business Council**

RR 1, Box 544, Rocky Boy Agency  
Box Elder, MT 59521  
(406) 395-5705 Phone  
(406) 395-5702 Fax

**Crow Tribal Executive Council**

PO Box 159 | Bacheeitchche Avenue  
Crow Agency, MT 59022  
(406) 638-3715 Phone  
(406) 638-3773 Fax

**Confederated Salish & Kootenai Tribal Council**

PO Box 278 | 42487 Complex Blvd  
Pablo, MT 59855  
(406) 675-2700 Phone  
(406) 675-2806 Fax

**Fort Belknap Indian Community Council**

RR 1, Box 66 | 101 Tribal Way | Fort Belknap Agency  
Harlem, MT 59526  
(406) 353-2205 Phone  
(406) 353-4541 Fax

**Fort Peck Tribal Executive Board**

PO Box 1027 | 501 Medicine Bear Road  
Poplar, MT 59255  
(406) 768-5155 Phone  
(406) 768-5478 Fax

**Little Shell Executive Board**

PO Box 1384 | 1807 3rd NW, Suite 35A  
Great Falls, MT 59403  
(406) 452-2892 Phone  
(406) 452-2982 Fax

**Northern Cheyenne Tribal Council**

PO Box 128 | 600 Cheyenne Avenue  
Lame Deer, MT 59043  
(406) 477-6284 Phone  
(406) 477-6210 Fax

**VIII. GOVERNOR’S OFFICE OF INDIAN AFFAIRS CONTACT INFORMATION**

**Governor’s Office of Indian Affairs**

State Capitol Building, Room 202  
PO Box 200801 | 1301 E. 6<sup>th</sup> Avenue  
Helena, MT 59620-0801  
[www.tribalnations.mt.gov](http://www.tribalnations.mt.gov)

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