



Mille Lacs Band of Ojibwe Indians
Executive Branch of Tribal Government
Office of the Chief Executive

June 23, 2025

The Honorable Tina Smith
United States Senator
720 Hart Senate Office Building
Washington, D.C. 20510

Re: Thank you for your continuing support on the Tribal List fix issue; request for pre-hearing questions in meeting with AS-IA nominee William Kirkland

Dear Senator Smith,

On behalf of the Mille Lacs Band of Ojibwe (“Mille Lacs” or “the Band”), I write to thank you once again for your continuing support and advocacy for a solution that would correct the Bureau of Indian Affairs’ list of federally-recognized tribes, published annually in the Federal Register as “Indian Entities Recognized and Eligible To Receive Services from the United States Bureau of Indian Affairs” (BIA) pursuant to the Federally Recognized Indian Tribe List Act of November 2, 1994 (Pub. L. 103-454).

As you know, listing Mille Lacs and the other Bands parenthetically as “component reservations” under a single entry for the Minnesota Chippewa Tribe (MCT) unnecessarily creates harmful confusion regarding the legal status of each of the six Bands and each of the Band’s eligibility for a full tribal share of federal funding or authority. The ambiguous format and language of the List has led some federal agencies to mistakenly conclude that the Mille Lacs Band of Ojibwe is not a separate, sovereign Indian tribe apart from the MCT, resulting in time-consuming administrative and legal efforts by the Mille Lacs Band and your office to correct these errors.

Despite longstanding federal recognition of the Mille Lacs Band of Ojibwe and the other Bands as separate, sovereign, and independent tribal governments, each “eligible for the special programs and services provided by the United States to Indians because of their status as Indians” (25 U.S.C. 5304(e)), the BIA’s annual list refers to an inaccurate total of 574 federally-recognized tribes, a figure that excludes the six Minnesota Chippewa Bands. This persistent inaccuracy continues to cause confusion across the federal government, creating unnecessary and burdensome barriers to each of the six Band’s independent participation in certain federal programs and distributions.

We ask that you consider addressing this issue in any upcoming meeting you may schedule with the Administration’s nominee to be the Interior Department’s Assistant Secretary – Indian Affairs, William Kirkland. To address this issue, we respectfully request that you inform him of your efforts to gain a correction to the List and ask him a series of questions along the following lines:

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1. Mr. Kirkland, in recent years, my colleagues and I have had to scramble to fix several references in new legislation (e.g., CARES Act distributions, ARPA distributions) that used the published List under the Tribal List Act to determine eligibility and funding levels. But for our efforts, the List's erroneous combination of six independent, sovereign Ojibwe Band tribal governments into a single List entry would have resulted in each Band receiving only one-sixth of what every other recognized tribe received. I tried without success to get the previous Administration to administratively fix this issue created by the inaccurate List. Will you commit to looking at this issue and getting back to me on the steps you will take to resolve this problem?
2. Mr. Kirkland, will you commit to meeting and working with the Mille Lacs Band of Ojibwe, one of the Bands in Minnesota, on how you might efficiently and effectively fix this problem administratively?
3. Mr. Kirkland, if you are unable to resolve this issue administratively, would you commit to lending the support of the Administration to legislative efforts to fix this problem? I really do not think such a simple matter should require legislation resolution, but if you are unable to do it administratively I would appreciate your support for a legislative solution.

Senator Smith, the Mille Lacs Band is grateful for your hard work on our behalf, and on behalf of Indian Country. We look forward to working with your office to ensure that the Mille Lacs Band of Ojibwe's distinct, sovereign, and independent status is clearly and accurately reflected in BIA's annual list.

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Virgil Wind
Chief Executive
Mille Lacs Band of Ojibwe