



THE LITTLE SHELL PEMBINA NATION THE GREAT CHIPPEWA NATION

PRESS RELEASE

MAY 17, 2020

<https://peminachippewa.org>

On March 24, 2020 The Little Shell Pembina Nation, The Great Chippewa Nation, submitted an official filing and Declaration of its Indigenous Identity and Rights per the United Nations Declaration on the Rights of Indigenous Peoples (UN Resolution A/61/295).

The filing has been made with the United Nations Secretary General's Office, the Secretariat of the Permanent Forum on Indigenous Issues Office, and the Offices of United Nations Member State Ambassadors.

Today, the United States Government offers indigenous people within their continental boundaries only one option to exist: a petition for "Federal Recognition" in order to be placed upon a reservation under the control of the Department of Interior and Bureau of Indian Affairs. We look around Indian Country at those who entered into such agreements and see only poverty and depredation.

We declare that we already have Federal Recognition under the 1863 Old Crossing Treaty, and we affirm that we have never left our ancestral lands, nor have we ceded any rights to our ancestral title, territory, or resources. Our occupancy rights have never been extinguished.

On October 2, 1863 we entered into the Treaty of Old Crossing which is still in force per Article Six of the United States Constitution which declares in clause two that all treaties made by the U.S. Government constitute the Supreme Law of the Land, binding all Federal and State Courts to their provisions. Wherein, by the Treaty of 1863, we ceded a shared portion of land, held by both the Little Shell Pembina Chippewa and the Red Lake Chippewa while reserving for our independent and sovereign nation all rights to holdings west of said lands, outlined as follows:

On the north by the national boundary between the United States and the British possessions; on the east by the Red River of the North; on the south by the Sheyenne River to its head waters or source; thence in a west-north-westerly direction along the Missouri River to the Little Knife River, a tributary of the Missouri River; thence due north to the national boundary between the United States and the British Possessions.

The Little Shell Pembina Chippewa government constituted by the Little Shell Chiefs and Grand Council has never ceded its authority over ancestral lands and to date has never lost a State or Federal court case involving the protections granted in the 1863 Old Crossing Treaty.

Despite our refusals in 1889, 1891 and 1892 to cede our occupancy rights and sell our land holdings, after the failure of three Congressional Commissions tasked to persuade us to sell, the United States illegally included our land holdings within their created State of North

Dakota. In fact, after the first commission failed to persuade us to cede our nation in October of 1889 the very next month, on November 2, 1889, we were shocked to see that U.S. still included our land holdings within their self-created State of North Dakota. To "cover their tracks" from November 1889 to February 1891 a Congressional Commission continued to try and buy the very same land which they were unlawfully including in their state of North Dakota. In February of 1891 this Commission ended in failure. In 1892 the United States Congress appointed a new commission to buy our land holdings which they had from 1889 to 1892 been fraudulently selling land titles to American settlers. After our final rejection of their proposition in October of 1892 the Congressional Commission established their own Indian council, of Indians who were not members of our nation, who signed the Commission's McCumber Agreement, whilst the 1863 Treaty signatories were still very much alive and only after these signatories had rejected the agreement. It would be 12 years later in 1904 after the death of our Chief Little Shell III in 1903 that the U.S. Congress would ratify this agreement, again which was not authorized or signed by our government.

From 1905 to present day our government has continued to function, our Little Shell Chiefs and Grand Council has continued to fight for our rights amidst the cultural genocide our people experienced in the 20th century namely the theft of our children into Boarding Schools, the Forced Sterilizations of our women and the forced assimilation policies which did not end until 1978. The United Nations actions in 2007 to protect the rights of those wronged by colonial powers, to include the Little Shell Pembina Chippewa, is our new banner of hope and we claim for ourselves the rights therein contained in the United Nations Declaration on the Rights of Indigenous Peoples.

Furthermore, we clarify to all interested parties, that the Turtle Mountain Indian Reservation is not affiliated with the Little Shell Pembina Chippewa Tribe. The Turtle Mountain Indian Reservation was created without our approval upon our unceded land holdings. This creation took place prior to any attempt by the U.S. Government to purchase our lands. Purchase attempts took place from 1889 to 1892, of which all were rejected by our authorized government, the very same whom signed the 1863 Old Crossing Treaty.

Furthermore, the Turtle Mountain Indian Reservation has no sovereignty as their jurisdiction is dependent upon their agreement with the U.S. Government whom created them out of migrating Canadian Cree, Canadian Metis and Southern Dakota Sioux Indians, and likewise they have no land to sell and no land to gain as all lands they possess and could possess are unceded and unsold land holdings of the Little Shell Pembina Nation.

While a few members of the Turtle Mountain Indian Reservation are lineal Pembina Chippewa whose ancestors had refused to leave their land when the reservation was created, most are not. In 1940 the Reservation made a new membership roll and converted over 30,000 members to Pembina Chippewa overnight, despite them having no lineal connection to a Pembina Chippewa ancestor. As a result, the Reservation was illegitimately able to make a claim against the payments of the 1863 Old Crossing Treaty and thereby caused an injury to actual lineal Pembina Chippewa descendants and the authorized Little Shell Pembina Tribal Government, whom to date has never ceded its land or surrendered its authority.

We respectfully direct all interested parties to our official website for further information:

<https://peminachippewa.org>

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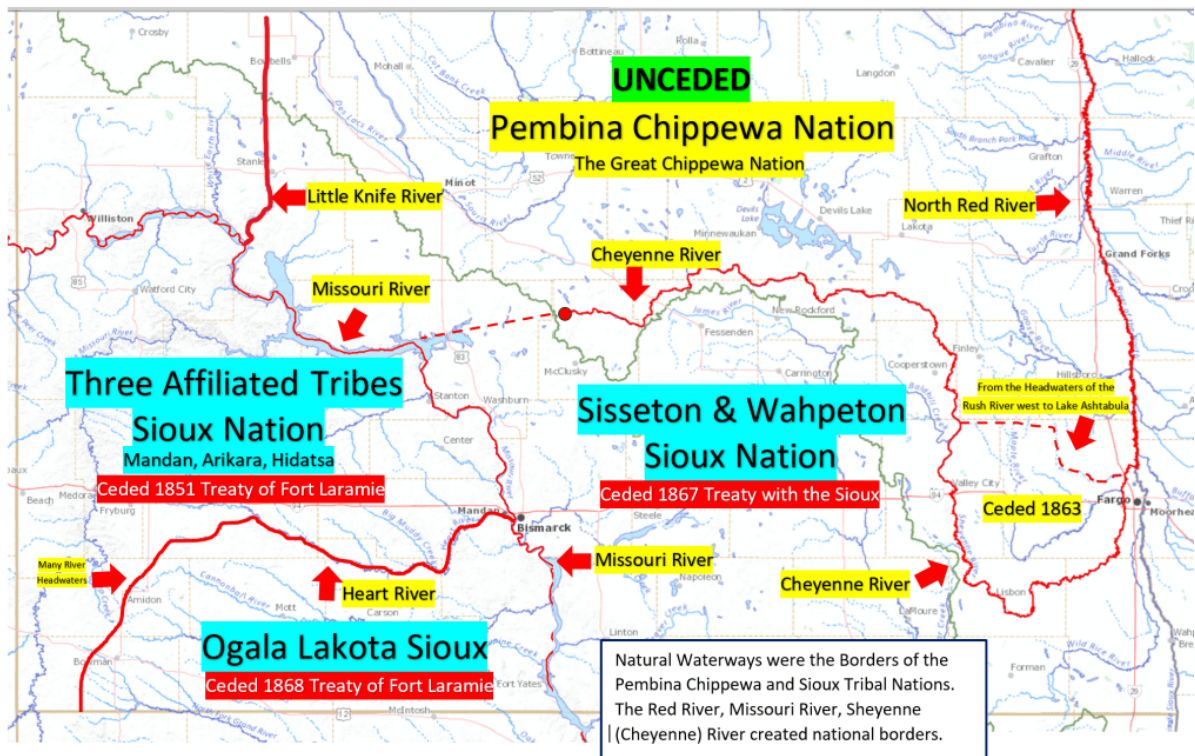
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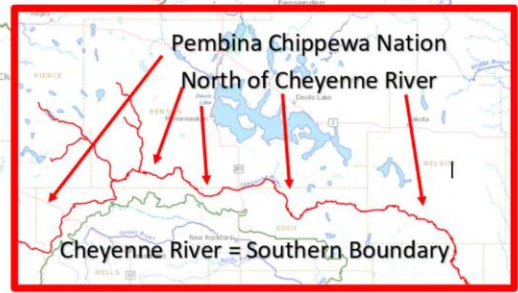
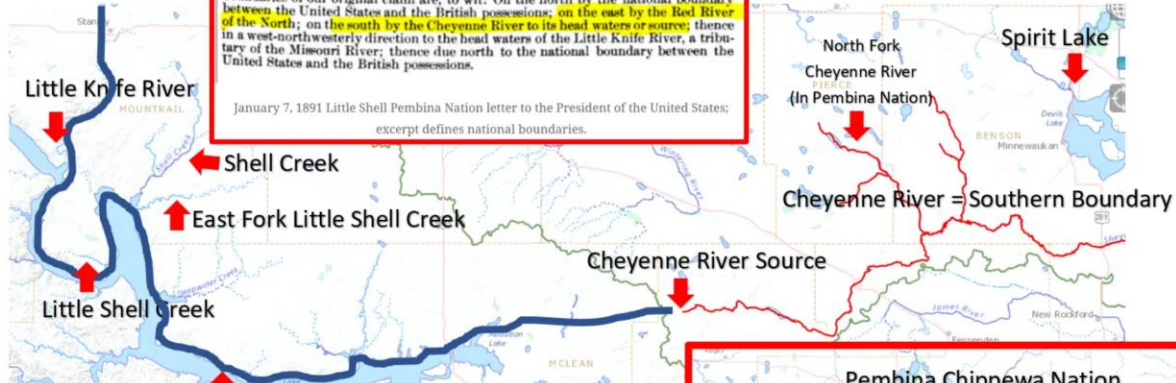


**The unceded
Little Shell Pembina Nation
The Great Chippewa Nation**



21 of March 3d, 1878, relative to the matters of the claim of said Turtle Mountain Band of Chippewas in North Dakota. We apprehend that the boundaries of our original claim might have been variedly or incorrectly given by our several and different delegations who went to the national capital at various times in our behalf in this matter; we therefore deem it advisable at this time to submit it correctly. The boundaries of our original claim are, to wit: On the north by the national boundary between the United States and the British possessions; on the east by the Red River of the North; on the south by the Cheyenne River to its head waters or source; thence in a west-northwesterly direction to the head waters of the Little Knife River, a tributary of the Missouri River; thence due north to the national boundary between the United States and the British possessions.

January 7, 1891 Little Shell Pembina Nation letter to the President of the United States; excerpt defines national boundaries.



The boundaries of the unceded Indian country claimed by the Pembina Chippewas, and recognized by this Bureau to the extent indicated in report to Department quoted from in the beginning of this letter, are marked, with approximate accuracy only, upon the map herewith inclosed. As has been seen, its area has been estimated at 9,500,000 acres. As a portion of their original claim was taken for the use of the Fort Berthold Indians it is not likely that it will now exceed 9,000,000 acres.

Figure 6: Commissioner Hiram Price comments on Fort Berthold 14 Feb 1882

