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Tribal president fires back at legislator

Dispute arose after gaming money withheld

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Lac du Flambeau Ojibwe Tribal President John Johnson didn't back down this week in his response to a Wisconsin legislator who accused him and the tribe of bad leadership and not being a 'good actor.'

In a Dec. 11 letter to state Sen. Mary Felzkowski, R-Tomahawk, Johnson wrote, '... we are going to work to right the wrongs of the past and will no longer tolerate abuse of our people or our land.'

Felzkowski had written to Johnson last week, responding to his complaints over the recent withholding of \$1 million of promised gaming revenue from the tribe by the Republican-led Joint Finance Committee in the Legislature.

Felzkowski and other Republican legislators confirmed that they withheld the money in part because the Lac du Flambeau Tribe blocked four roads on its reservation earlier this year, hindering access to dozens of properties owned by non-tribal members on the reservation.

Johnson said the leases on those roads had expired 10 years ago and the title insurance companies for the properties and the non-tribal government town of Lac du Flambeau on the reservation had 'repeatedly tried to circumvent the negotiations' before the tribe resorted to closing the roads, which are on tribal property.

Some homeowners had sued for the tribe to reopen the roads in federal court, but the court sided with the tribe.

The tribe eventually reached a temporary agreement with the town to reopen the roads for an increasing monthly fee until a more permanent solution could be reached.

In his letter this week, Johnson told Felzkowski that the tribe was being punished for trying to protect its reservation land.

He explained that their Ojibwe ancestors signed treaties with the U.S. in the mid-1800s that ceded millions of acres, enabling Wisconsin to become a state, but set aside a 12-mile-by-12-mile reservation for the Lac du Flambeau Ojibwe to have sovereignty over.

Johnson explained that a federal policy called the General Allotment Act, enacted in the late 1800s, promoted tribal lands to be held by individual tribal members to sell or lose through fraud to 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,' he wrote.

Johnson said that a new federal policy in the early 20th century attempted to reverse that 'scheme' and promoted the significance of reservations as permanent homelands for tribes.

But many properties on the reservation were still owned by non-tribal residents and eventually towns such as the non-tribal government town of Lac du Flambeau were formed.

Some non-tribal homeowners affected by the roads' closure have appealed to Congress for a solution, arguing that it was Congress that created the land dispute on the reservation with the defunct Allotment Act.

'The Lac du Flambeau Indian Reservation is our only home,' Johnson wrote. 'The 1854 Treaty created it and it still is the law of the land.'

'The situation you refer to as the 'barricade crisis' merits a broader misunderstanding. It is not merely a dispute with non-tribal members over lands rights, but a reflection of our enduring struggle to protect what little we have left our ancestral lands.'

The town of Lac du Flambeau has paid for permits from the tribe to access the four roads through mid-January.

Earlier this month, the tribe sent a letter to the town, saying the tribe is owed more than \$9 million from the town for past trespassing damages and court fees from when a homeowner tried suing the tribe.

The letter said the money must be paid before any more permits are issued for use of tribal roads.

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