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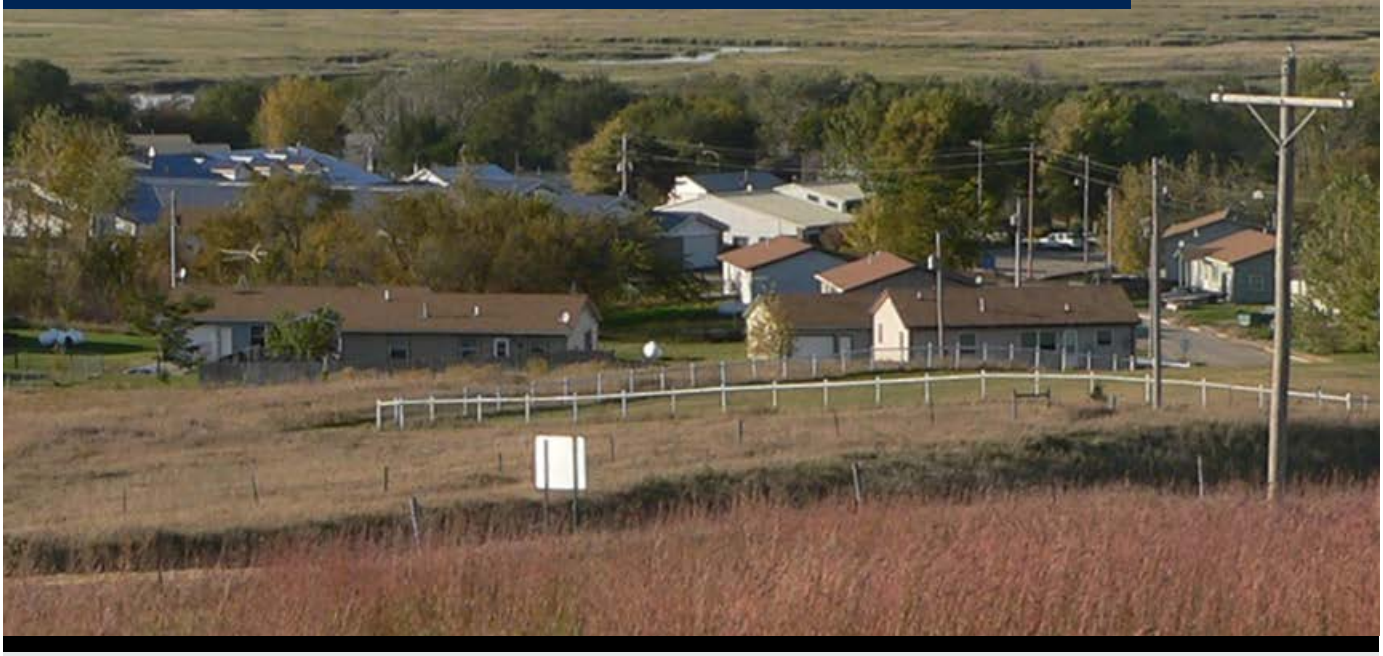
Tribal Zoning, Sovereignty in Action



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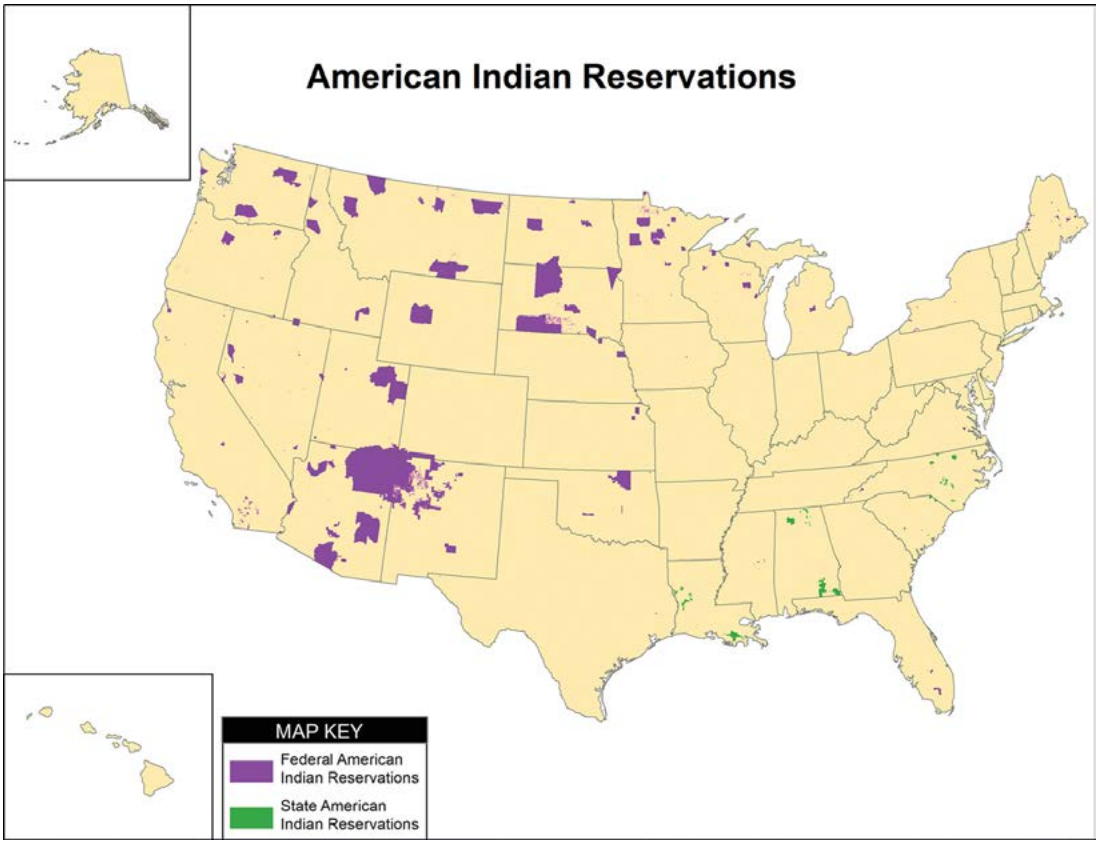
Tribal Zoning, Sovereignty in Action

by Margo Hill, JD, and John David (J.D.) Tovey III, AICP

Planners cannot understand or do good planning in Indian Country or work with tribal governments without knowing some American Indian history or understanding the concepts of tribal sovereignty. Tribes are often the largest employers in their county and own federal trust lands off reservation. Federal law requires tribal consultation for environmental reviews in "usual and accustomed areas" and consultation for historic preservation. Planners and local communities will increasingly deal with tribes on water rights Issues.

The big picture challenge with zoning on tribal lands is coordination with neighboring jurisdictions and states for clear lines of communication and authority and recognition for an interest in regulating lands as a sovereign right. In practice, this will certainly vary across the nation depending on the relationship of tribal reservations with their local jurisdictions and states, but also their capacity to manage the regulation. Given the history of land disenfranchisement throughout the last three centuries, the call to action for planners is to meet the tribes where they are at, aid when appropriate, and include them in the discussions of land regulations.

This issue of *Zoning Practice* examines how federal tribal law affects the application of zoning to tribal lands. It provides a distilled history of tribal land management and disenfranchisement and explores how some tribal authorities use land-use and development regulations to advance tribal objectives.



Federal- and state-recognized American Indian reservations (Credit: Donald Warne)

A Primer on Federal Indian Law and Policy

There are nine sources of law that explain the relationship between the United States government and American Indian tribes: international law, inherent tribal sovereignty, treaties, federal statutes, executive orders, federal court decisions, administrative regulations, tribal law, and the U.S. Constitution. Typically, state law does not apply to tribes, unless they take state money in the form of grants or enter into tribal-state compacts, such as a gaming compact, which is a whole body of research unto itself.

Through these sources, there emerge four major themes of federal Indian policy:

1. The tribes are independent entities with inherent powers of self-government.
2. The independence of the tribes is subject to powers of Congress to regulate and modify the status of the tribes.
3. The power to deal with and regulate the tribes is wholly federal; the states are excluded unless Congress delegates power to them.
4. The federal government has a responsibility for the protection of the tribes and their properties, including protection from encroachment by the states and their citizens.

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You can track the development of federal Indian law and policy across five general eras: the colonial era, the treaty era, the land-dispossession era, the termination era, and the self-determination era.

The Colonial Era

The colonial rulers of Europe assumed they had the right to take the New World from its native inhabitants. They found justification in Christian evangelism, the Roman law of conquest, and the international law of the day. These preceding theories and thoughts established that Native American tribes were sovereign nations, but subservient to the Christian states which "discovered" them. The discoverer gained the exclusive right to strip Indian nations of their land and sovereignty, whether by war or by treaty.

The Treaty Era

During the treaty era (1776–1871), millions of acres were lost by tribes. First, due to disease and later war, tribes were forced into submission and ceded (gave-up) their traditional homelands for a small land base called a reservation.

Tens of thousands of white settlers and prospectors migrated westward in the decades that followed, frequently trespassing on land designated by treaties as Indian land. To keep the settlers safe, the U.S. Cavalry accompanied them. The tribes were duped or coerced into moving to reservations, which were frequently hundreds of miles away from their ancestral territories. Despite language in their original treaty stating they would never have to migrate again, many tribes were compelled to sign second and even third treaties that forced them to travel further west and relinquish even more land to the United States.

The U.S. Constitution gives to Congress the power to "regulate commerce with the Indian tribes" (**Article I, §8**). The first Congresses passed **Trade and Intercourse Acts**, which put Indian affairs under exclusive federal control, prohibited all but federal agents from negotiating for cessions of Indian land, and defined areas of "Indian country" into which non-Indian access was restricted (e.g., **Public Law No. 1-33, 1 Stat. 137**). The federal government engaged in treaty making with American Indian tribes. According to the U.S. Supreme Court, a treaty is "essentially a contract between two sovereign nations" (*e.g., **Lone Wolf v. Hitchcock***, 187 U.S. 553, 23 S. Ct. 216, 47 L. Ed. 299 (1903)).

Indian tribes were recognized as sovereign nations by the European countries that began settling in North American during the 1600s. Europeans entered into treaties with American Indians to acquire land (Pevar 2012). Treaties were used to

govern formal interactions between American Indian tribes after the United States obtained independence from Great Britain. The federal government's interaction with tribes on a legal and political level has been improved by Congress, the executive branch, the courts, and the tribes themselves, largely within this "treaty" framework. Treaties dealt with acquisition of Indian lands, and the treaties defined the nature of Indian tribes as governments relative to other sovereigns (federal government and the states).

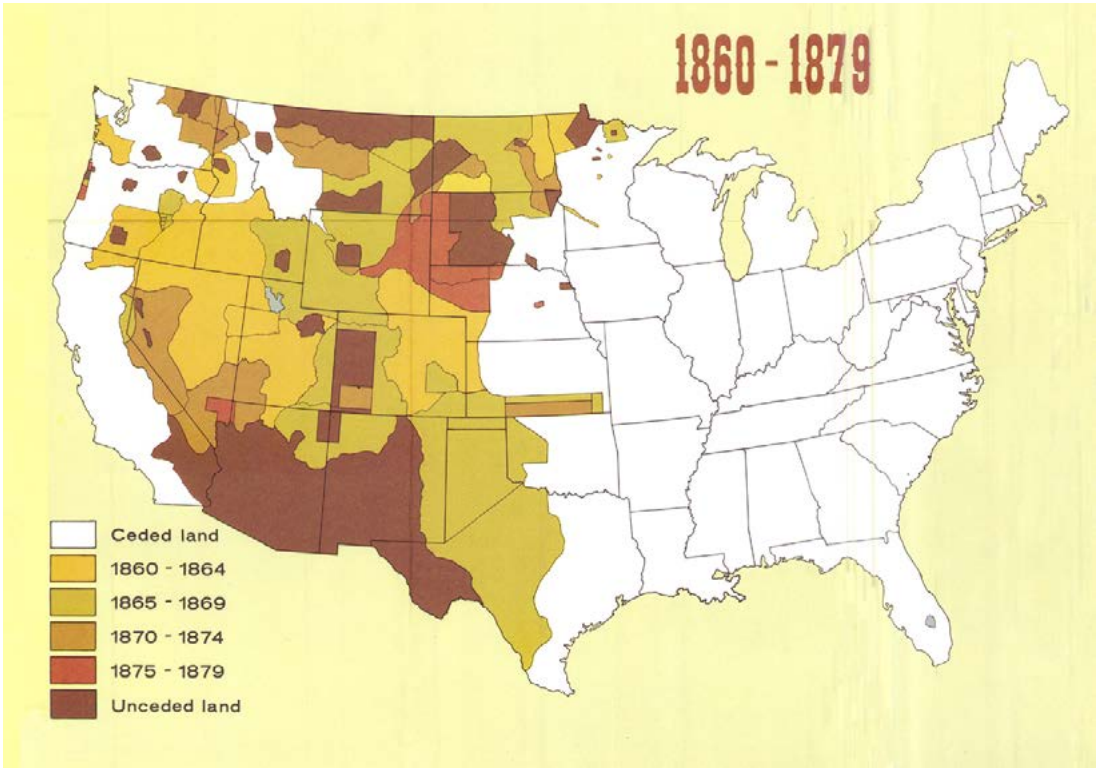
In almost all its treaties, the U.S. sought to acquire cessions of Indian land through diplomacy rather than conflict. The U.S. often provided the tribe with a list of promises in return. The terms of each treaty varied depending on the tribe, but almost all of them "expressly recognized the sovereignty of the tribes and contained many explicit assurances that the federal government would protect the tribes."

The tribes first negotiated from positions of strength, but this gradually changed. Over time, the federal government gained the power to impose rules. Treaties were written in English, and the terms were often not explained to the signatories. The treaties frequently contained ideas about property ownership and government relationships that were completely alien to the native cultures. The federal government frequently negotiated with individuals who it had selected and who were not the traditional leaders of the concerned tribes. All of these factors contributed to the overreaching on the part of the federal government.

Important rights secured to the tribes by treaty today include beneficial ownership of Indian lands, hunting and fishing rights, and entitlement to certain federal services such as education or health care. Many of these present rights are now a product of statute or executive agreement. Treaties are made pursuant to the Constitution; therefore, they take precedence over any conflicting state laws by reason of the Supremacy Clause (**Article VI, §2**).

Congress grew increasingly resentful of being excluded from the direction of Indian affairs. The result was the passage of the 1871 act providing that, "No Indian nation or tribe shall be acknowledged or recognized as independent nation, tribe, or power…" (**25 U.S.C. §71**).

To compensate for the disadvantageous position of tribes during bargaining and to help carry out the federal trust



Loss of tribal lands in the U.S. between 1860 and 1879 (Credit: Sam B. Hilliard)

The central business district of Keshena on the Menominee Indian Reservation in northeastern Wisconsin (Credit: Royalbroil, Wikimedia)

responsibility, the Supreme Court has fashioned rules of construction sympathetic to Indian interests. Treaties are to be construed as they were understood by the tribal representatives who participated in their negotiations (***Tulee v. Washington***, 315 U.S. 681, 62 S. Ct. 862, 86 L. Ed. 1115 (1942)). They are to be liberally interpreted to accomplish their protective purposes, with ambiguities to be resolved in favor of Indians (***Carpenter v. Shaw***, 280 U.S. 363, 50 S. Ct. 121, 74 L. Ed. 478 (1930)).

Courts "look beyond the written words to the larger context that frames the Treaty, including the 'the history of the treaty,' the negotiations, and the practical construction adopted by the parties" (***Minnesota v. Mille Lacs Band of Chippewa Indians***, 526 U.S. 172, 119 S. Ct. 1187, 143 L. Ed. 2d 270 (1999)).

The Land-Dispossession Era

Well known federal Indian law attorney John C. Sledd stated, "The mid-19th century produced an odd marriage of American land hunger and paternalism toward Indians." To "better" Indian people, federal negotiators began to insert provisions into treaties allowing Indian lands to be parceled out to individual tribal members. This was to encourage individual initiative and make them farmers.

In 1887 Congress passed the **General Allotment Act** (also known as the Dawes Act after the bill sponsor Massachusetts Senator, Henry L. Dawes), as an enabling act which provided for the allotment of land to tribal members on any Indian reservations, regardless of specific treaty provisions (**25 U.S.C. §331**). These allotments were generally 80 to 160 acres in size. After every Indian household had an allotment, any remaining land could be opened to settlement by non-Indians, whose close example was expected to further edify Native people (**25 U.S.C. §348**).

Even when the land was retained, allotment had devastating consequences. For a variety of reasons, many Indian allottees never prepared wills. Their heirs took the land as tenants in common, holding undivided shares which got smaller with each intestate generation. By now, single allotments may have tens or hundreds of owners.

The Termination Era

In the 1950s we see the movement to sell off Indian lands, terminate tribes, and turn Indians over to the states. Congress formally adopted a policy of "termination" to, as rapidly as possible, make Indians subject to the same laws as other citizens and to end their status as "wards" of the

White Mesa, a census-designated place within the Ute Mountain Ute Tribe reservation in southeast Utah (Credit: Steven Baltakatei Sandoval, Wikimedia)

U.S. Several tribes were targeted and terminated by statute, and their special relationship with the federal government ended (e.g., Klamath Tribes of Oregon). The intent was to continue this trend to all tribes over time. The results were disastrous, and the practice waned until the development of the policies of Self-Determination. Since that time, some tribes have been able to reverse this disastrous policy by being re-recognized many years later, such as the Grand Ronde of Oregon and Menominee Tribe of Wisconsin.

The Self-Determination Era

During current times we see a movement toward self-determination. It was actually Richard Nixon who took a break from the past and decided to have no more paternalism. Give the tribes back their own power. Let the tribes have control over their own destiny. In the 1980s, tribes began having a greater role in their day-to-day governance. The **Indian Self-Determination and Educational Assistance Act of 1975** gave tribes, instead of government officials, the right to administer federal assistance programs. Tribal governments could now contract to provide services previously carried out by the Departments of Interior and Health and Human Services.

The legacy of these relationships, policies, and land management has had far reaching impacts on the tribes today. As it was stated before, as a general rule, state law does not apply to tribal lands, so planning programs in tribes are not part of their respective state planning process. State planning processes vary widely across the country, and the relationship of each tribe to their states is just as varied. The complication of this is that tribal lands abut or are within state jurisdictions, so there are often cases where local and state planners and tribal planners are stepping on each other's toes or elbowing each other. The biggest cause of this ire is the definition of tribal lands.

A Typology of Tribal Lands

Most jurisdictions have one type of land: fee simple. Mirriam Webster defines *fee simple land* as land "without limitation to any class of heirs or restrictions on transfer of ownership." This is based in 14th century English Common law, and the word is related the term "fief" which connotes a relationship to an overlord to provide taxes, troops, and other resources in exchange for protection and governance. In real property it is referred to as *fee simple absolute*, which means you have the full "bundle of sticks." You have the right to sell, lease, and grant rights-of-way to the land. In today's context, fee simple land is land one must pay taxes on and conduct activities on per local laws, and a failure to

do so can result in the modern day "overlord" or municipality to take it, rightfully. Simple, clean, very easy to understand.

In Indian Country we have up to four types of lands depending on the history of each tribe. In addition to fee simple lands, there are also tribal trust lands, tribal allotment lands, and tribal fee lands—each with their own rules, regulations, obligations, and procedures.

Some defining features about each type of land include who holds the title to the land, what jurisdiction holds the right to regulate it, and what can be done with the land in a sale or transfer.

Tribal Trust Lands

Tribal trust lands are lands whose title is held by the U.S. federal government in perpetuity. However, the beneficiary title holders would be the tribal nation as a government entity on its own. These are wholly owned lands, and a unique characteristic is the lands cannot be sold or otherwise parted with other than in rare cases for value-to-value swap of lands. These are lands under the inherent sovereign jurisdiction of the tribal nation to regulate as they see fit.

Most tribes that use zoning generally follow modern planning principles and legal constructs; however, the application of those constructs to the tribal lands may be very different. For example, the Umatilla Indian Reservation has a **Land Protection Planning Commission** as its regulatory commission. The staff and commission of the UIR interpret their **Land Development Code** to be a "land protection" code rather than a "land development" code. Their code is constructed the same as traditional Euclidian zoning codes, but the interpretation leans toward protecting land and its function as much as protection of landowner rights in the development process.

There are many Bureau of Indian Affairs (BIA) regulations that guide Indian land transfers. Before land can be sold, an appraisal is required, which is costly and takes time to find an appraiser. Before the tribe can buy land, it must go through environmental review which is costly. Fee-to-trust transfers are a lengthy process depending on competency and workloads of BIA staff in local and regional offices. While there are no BIA regulations that explicitly limit land uses or building on tribal lands, **BIA leasing regulations** can have this effect if the tribal government has not adopted its own land development regulations.

Most tribes that use zoning generally follow modern planning principles and legal constructs; however, the application of those constructs to the tribal lands may be very different.

Tribal Allotted Land

Similarly, allotted trust lands are lands whose title is held by the U.S. federal government; however, the beneficiary title holders are individual tribal members. This is an outgrowth of the 1887 General Allotment Act and related acts. Unlike tribal trust lands, these lands can be sold, or gift deeded, but only with the express permission of the interest holder. This makes the land un-alienable, and therefore makes it difficult to be used as collateral for mortgages or other loans since the bank can't take the land without the permission of the interest owner.

These lands are often handed down through families by marriage or gift deeding. Most of these lands have between one and 20 owners, but in some areas of the country, allotted trust lands may have 200 or more owners of undivided interest. Those interests can also be limited to the land only, mineral rights only, or a combination of the two. Undivided interest means that if you own one percent of 100 acres, you don't own one acre; you own one percent of the entire 100 acres.

This can be further complicated by the fact that a tribal nation, as a whole, may come into possession of individual interests in allotted lands. This may be through sale, gift deeds, or inheritance codes that restrict the passage of these interest in lands to non-Indian descendants or to descendants enrolled with other tribes. Each tribe has their own inheritance laws, and some follow their state statutes. In

some tribes, non-enrolled first line descendants can hold property in trust. Second line descendants cause the land to go out of trust to fee property.

Under the **American Indian Probate Reform Act (AIPRA) 2004**, if the tribe comes into possession of any interest in an allotted property, then the entirety of it is then under the more onerous tribal trust land rules and regulations. This can have the net result of inadvertently pitting tribal members against their own tribal government to maintain interests and nominal control over those family lands.

Tribal governments can apply zoning to tribal allotted lands in the same manner as tribal trust lands.

A tribal government's ability to regulate or apply tribally controlled land development regulations on fee lands within its reservation is dependent on the relationship between that tribe, the county(ies) in which it lies, and their respective state.

Tribal Fee Land

These are fee simple lands that are owned by the tribe as a whole and within the boundaries of their respective reservation. Meaning the tribal nation holds both title *and* beneficiary title to the land. Depending on the relationship between that tribe and their state, the state may waive any obligation for property taxes or may have in-lieu payments to cover governmental services the state, county, or municipal jurisdiction provides to that property, such as water, sewer, and fire protection. Tribes do have the option to convert these lands to tribal trust through a process in the BIA, but many choose to not convert them because of outstanding encumbrances such as liens or easements. Tribes can also use the property as collateral for loans that support tribal development projects elsewhere.

A tribal government's ability to regulate or apply tribally controlled land development regulations on fee lands within its reservation is dependent on the relationship between that tribe, the county(ies) in which it lies, and their respective state (see discussion of *Brendale* below).

Fee Land

Fee lands are those in which the title of land is held in fee simple absolute. You have full title with no encumbrance (clear title, no rights-of-way), and land is taxed by the state or county government. This land is within the reservation boundaries and may be owned by non-Indians or tribal members. Non-Indians are still obligated to pay property tax through the state and county process; however, depending on the state, enrolled tribal members can get a waiver from tax obligations by applying for fee-to-trust status for any lands they own within the exterior boundary of their reservation.

In ***Montana v. United States***, 450 U.S. 544, 101 S. Ct. 1245, 67 L. Ed. 2d 493 (1981), the U.S. Supreme Court stated: "[E]xercise of tribal power beyond what is necessary to protect tribal self-government or to control internal relations is inconsistent with the dependent status of the tribes, and so cannot survive without express congressional delegation." This included applying zoning to fee lands. The court then added two "exceptions" to its ruling. Tribes retained inherent sovereign power, even on fee lands, (1) to regulate by taxation, licensing, or other means the activities of nonmembers who enter into consensual relationships with the tribe or its members, as by commercial dealings and (2) to regulate conduct of non-Indians that threatens or directly affects "the political integrity, the economic security, or the health or welfare of the tribe."

The U.S. Supreme Court's decision in ***Brendale v. Confederated Tribes and Bands of Yakima Nation***, 492 U.S. 408, 109 S. Ct. 2994, 106 L. Ed. 2d 343 (1989) put these exceptions to the test. The Yakima Nation had first adopted a zoning ordinance in 1970 and amended it in 1972, but it did not have a comprehensive land-use plan. The ordinance applied to all lands within the reservation boundaries,

Leupp, site of the first Navajo Chapter, in the southwestern corner of the Navajo Nation, near Flagstaff, Arizona (Credit: Steven Baltakatei Sandoval, Wikimedia)

including fee lands owned by Indians or non-Indians. Meanwhile, Yakima County, Washington, had also adopted a zoning ordinance and mapped it to fee lands withing the reservation. The tribal government challenged the county's zoning authority and land-use approvals for two different fee-land parcels. The first parcel was in a "closed area" of the reservation with predominantly trust land and undeveloped forest. The second parcel was in an "open area" with a roughly even mix between trust and fee land and a mix of land uses. The court ruled that the first exception did not apply to either parcel because neither landowner had consented to the tribe's zoning ordinance. When considering the second exception, the court found that it applied to the "closed area" parcel but not the "open area" parcel.

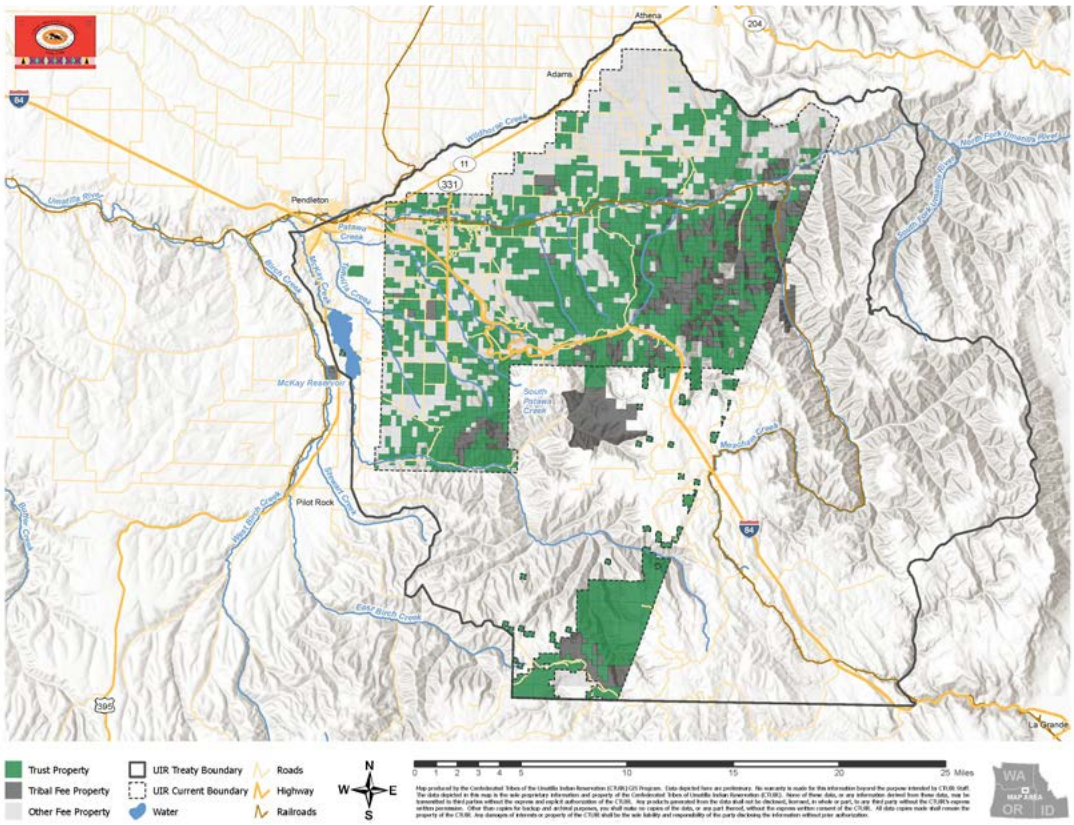
Later, ***Evans v. Shoshone-Bannock Land Use Policy Com'n***, 736 F.3d 1298 (9th Cir. 2013) acknowledged the general rule that, absent at least one of two of the *Montana* exceptions, tribes may not regulate nonmember conduct on "non-Indian fee land" (in this case, nonmember building house). Tribes can still retain some power to regulate non-Indian fee lands with regard to things such as water pollution under Clean Water Act, where the U.S. Environmental Protection Agency can treat tribes as states.

Zoning and the Checkerboard Reservation

When these four types of land have spent more than a century evolving through sales, inheritances, gift deeding, and sometimes less that savory methods of disenfranchisement, the result is often a "checkerboarded reservation." As *Brendale* demonstrated, tribal governments likely need the consent of landowners to apply zoning to fee simple lands in reservations with intermixed ownership and uses. Given this reality, tribal authorities have three basic zoning alternatives: (1) limit zoning to tribal trust and allotted lands; (2) pursue a memorandum of understanding with local governments with overlapping zoning authority; or (3) test the limits of the second *Montana* exception.

Zoning Trust and Allotment Lands

Many tribal authorities have adopted zoning regulations for trust and allotment lands. In some cases, these zoning codes are quite simple, with a small number of districts and minimal standards. In other cases, these codes mirror the complexity of conventional municipal zoning codes. For example, the Menominee Indian Tribe of Wisconsin has adopted a zoning code that would likely look quite familiar to local planners working in suburban and exurban contexts (**§625**).



The Confederated Tribes of the Umatilla Indian Reservation's checkerboard pattern of land ownership (Credit: Confederated Tribes of the Umatilla Indian Reservation GIS Program)

And in some cases, the unique status of tribal governments allows for a distributed approach to zoning, where tribal lands are discontinuous over a large area. For example, the Navajo Nation's tribal lands cover nearly 27 thousand square miles in parts of Arizona, New Mexico, and Utah. In 1998, the tribal government authorized local Chapters to establish their own zoning regulations through §2004 of the **Navajo Nation Local Governance Act**.

Zoning by MOU

The map of the Umatilla Indian Reservation is an excellent example of a checkerboard reservation. This map is not a zoning map or a land-use map. It is a jurisdiction map. The jurisdiction and rules associated with that can change from one parcel to the next. Managing through this is *the* great challenge for many tribal and county planners.

Each color within the current, much diminished, reservation boundary represents a different type of tribal land. Tribal trust and tribal allotment has been collapsed into a single category of "tribal trust" in an effort to make the map easier to read. [The 1855 Described Reservation Boundary, the 1871 Reservation Survey, and the current Reservation Boundary could be topics of a separate article on Indian land disenfranchisement.]

So how do the tribe and Umatilla County, Oregon, as an agent of the State Land Use System, regulate and plan for development, housing, and natural resources utilization across a checkerboard? The answer for those tribal and county leaders in the late 1980s when *Brendale* was decided was: "It would be near impossible." The county commissioners, the tribe's board of trustees, and their respective planning departments met and crafted a memorandum of understanding known simply as *the MOU*.

This MOU gives structure around how to apply effective and responsive land regulations across a checkerboard. These assertions include that both agree there are recognized challenges to regulate across a checkerboard. It also agrees that land should be administered in a fair and open process. And it also recognizes the tribe's interest, capacity, and sovereign right to manage the lands within the

reservation for future generations. Through this agreement, the tribal government effectively acts as a subarea planning district for the county. Permits are processed, including conducting open public hearings for variances, conditional uses, and subdivisions under the tribe's land development regulations. In turn, the Umatilla Tribal Planning Office submits a quarterly record of permits and improvements on fee lands only to the county for recording and for eventual assessment.

This is just the arrangement of the Umatilla Indian Reservation. Other tribal authorities have created similar MOUs. For example, the Swinomish Indian Tribal Community has entered into an MOU with Skagit County, Washington, to establish procedures for a **Cooperative Land Use Program**, with zoning for tribal lands integrated into the county's **zoning ordinance**.

Testing the Limits

The *Brendale* decision leaves some uncertainty about the precise nature and degree of checkerboarding that would prevent a tribal authority from claiming the right to zone fee lands under the second *Montana* exception. Consequently, some tribal authorities have adopted zoning regulations that rely on a liberal reading of *Brendale* (TLPI 1999). For example, the Colville Confederated Tribes' Land Use and Development Ordinance (**§4-3**) claims jurisdiction over all tribal lands in furtherance of the tribe's **comprehensive plan**. The ordinance specifies that the Colville Tribal Planning Commission must include at least two non-Indian residents (**§4-3-80**).

Recommendations for Planners

Ultimately, we are most successful when we build successful relationships with our neighbors. It is the Confederated Tribes of the Umatilla Indian Reservation philosophy to find ways to solve our neighbors' problems and ours without either jurisdiction losing. We don't consider this a zero-sum game.

For example, we receive federal and state dollars to provide public transit. We make the transit available to everyone, and we get those ridership numbers that allow us to get more grants. This provides tribal members access throughout our ceded territories. The tribes win because we can access old lands, and our neighbors win because they get reliable transit services for economic development.

Same with natural resource protection. We do stream improvements throughout the region which improves salmon and other ecological functions, but also increases land values for neighbors while decreasing flood hazards. Everyone wins!

Planners should have patience when working with tribal authorities. We face challenges with tribal trust properties that you don't deal with in mainstream America's fee simple absolute land tenure. The fractionation of tribal allotments and tribal land holdings makes development difficult. There are different laws that apply to development on the tribal reservation trust lands. Often you have to work with Bureau of Indian Affairs to get permissions and environmental clearances to proceed with development.

Conclusions

Try to understand our tribal cultural worldview. The Umatilla concept of *Tamanwit* does not translate to English directly. Generally, it has been translated to mean "natural law," but it's broader than that, primarily because there is no human/ecological dichotomy in Indian philosophy. We are not separated from the ecology, but rather part of it, so Tamanwit extends to interpersonal relationship as well as relationships to the ecology.

Consider the "Great Promise" between tribal people and Mother Earth: In the beginning before humans were here, Coyote went to all the plants and animals and told them a new creature was coming, and they would be like babies and would need help to survive. Salmon volunteered his life first to sustain the humans; in exchange they would take care of his children. Deer followed suit and then the roots and berries. This is now our serving order for the sacred foods that laid down their life for us. But this Great Promise continues to today, where our obligation as Indian people is to take care of all these lands and ecology (Quaempts et al. 2018).

A lot of people think that Indians were just a recipient of the bountiful cornucopia of the places they inhabited, but for

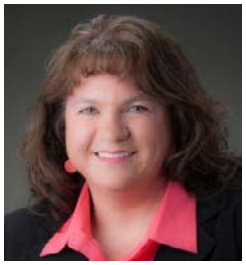
us on the Columbia River Plateau, just 15,000 years ago there would have been a mile-high wall of ice visible to the north of Pendleton, Oregon. All of that region would have been tundra or glaciated, and humans were there before the trees were there. We planted the trees; we farmed the trees and managed the forest for the highest productivity of goods. There are no virgin forests in the Pacific Northwest. All of them are anthropomorphic and were groomed and managed by tribes.

Each and every one of the more than 500 reservations in the lower 48 states has a different history, land arrangement, and relationship with their local counties and states. Because each reservation is unique, so are their solutions for planning and zoning challenges. The challenge to tribal planners is to seek out support and best practices for efficient and effective regulation of their lands as a sovereign right.

This charge is not just for tribal planners but also for their jurisdictional neighbors. Developing local-tribal relationships is paramount to creating not only an equitable land administrative process for local tribes, but also leveraging the benefits of partnering with tribes for natural resource protection, economic development, recreational opportunities, housing solutions, and other planning issues.

In 2022, the APA Board of Directors approved the recreation of the Tribal and Indigenous Planning Division. One of the primary goals of this division is to be a forum for these conversations for tribal planners and their neighbors. One of the bylines for the Division is that this division is for all planners working on Indigenous Lands…. And that is everyone.

About the Authors



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Cover: *Santee, a village within the Santee Sioux Reservation in northeast Nebraska (Credit: Ammodramus, Wikimedia)*

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