



## State-Tribal Relations Committee

67th Montana Legislature

PO BOX 201706  
Helena, MT 59620-1706  
(406) 444-3064  
FAX (406) 444-3036

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TO: State-Tribal Relations Committee  
FROM: Pad McCracken, Committee Staff  
RE: Fee-to-trust refresher focused on Fort Belknap and Fort Peck  
DATE: March 25, 2022

Various background documents on this topic are available on the [STRC Fee-to-Trust Conversion Study webpage](#). I wanted to provide you a basic refresher and some information specific to Fort Belknap and Fort Peck for your upcoming meeting. Attached to this memo, you will find maps provided to you back in October. Fort Belknap and Fort Peck provide examples of the differing effects of the federal allotment policy of the late 1800s and early 1900s; while both reservations were allotted, surplus lands on Fort Belknap were not opened to homesteading, while surplus lands on Fort Peck were.

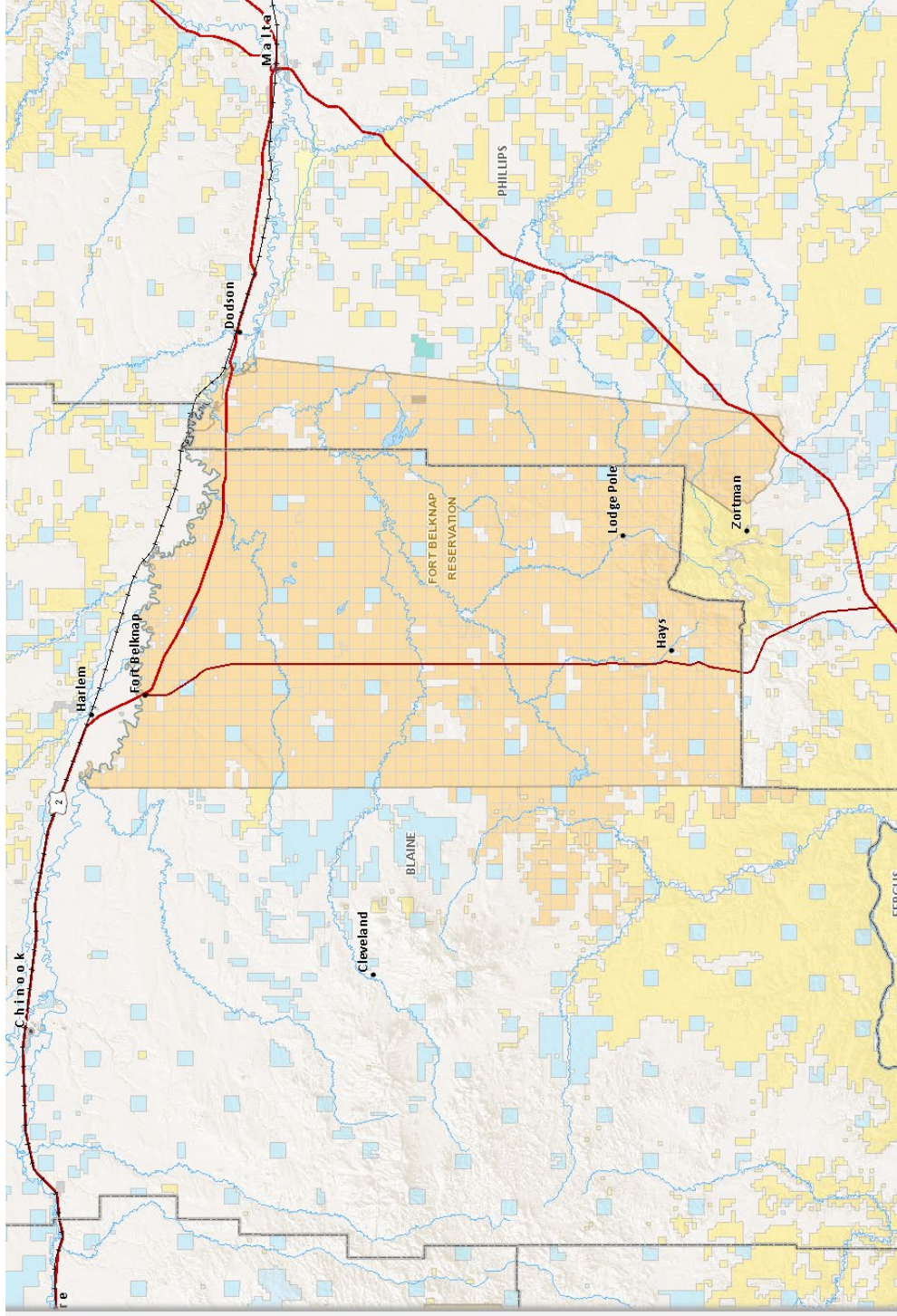
Recall that allotment resulted in the nationwide loss of nearly 2/3 of the tribal land previously held in trust for the tribes by the federal government. Much of this land became and remains *fee land*, held by Indians, non-Indians, or tribes. Fee land is taxable and can be converted to nontaxable federally held trust land by individual Indians or tribes. You learned about this often-lengthy process at your January meeting.

This topic is on your radar largely due to the attention it has received in Lake County and legislation in recent sessions addressing the *temporary tribal property tax exemption* under [15-6-230, MCA](#).

While land within Fort Belknap is already largely in trust, there are other land status issues that may come up in relation to the Fort Belknap water settlement. See pages 6-9 of the [water settlement executive summary](#) (in your packets) for information on these issues. The attached map may provide a helpful orientation.

You can see from the Fort Peck map that less than half of reservation land is held in trust and that four Montana counties include land within the reservation. The Department of Revenue provided you [data](#) at your January meeting showing that most of the fee parcels being converted to trust by the Assiniboine and Sioux Tribes of the Fort Peck Reservation are located in Roosevelt and Valley Counties and that the total number of parcels that have benefitted from the *temporary tribal property tax exemption* is roughly equal to the number in Lake County. This would make sense as the Fort Peck and Flathead Reservations have the lowest percentages of land in trust of the seven reservations located in Montana, and the greatest amount of fee land to potentially convert.

# Fort Belknap Reservation 97% Trust



**Land Ownership Legend**

- NonPublicLand
- Bureau of Land Management
- Bureau of Reclamation
- US Fish and Wildlife
- National Park Service
- US Forest Service
- US Dept of Agriculture
- Defense Dept/Army Corp of Engineers
- State of Montana Misc.
- Montana State Trust Land
- Local Government
- Tribal
- Bureau of Indian Affairs Trust Land
- Unresolved Ownership

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# Fort Peck Reservation 46% Trust

