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For Immediate Release: March 17, 1980
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Interior's Acting Assistant Secretary for Indian Affairs Sidney Mills said today that the Department continues to recognize Mrs. Stephanie Hanson as the Treasurer of the Red Lake Band of Chippewa Indians, despite a prior attempt by the tribal council to oust Mrs. Hanson from that role

Mills, who last week received the final report and recommendations of an investigatory team he appointed in January, also said that two petitions requesting referendum elections to amend the tribal constitution and to vote on Mrs. Hanson's status as treasurer were invalid because they were not signed by the required 25 percent of the eligible voters

Even though the petition calling for .a referendum on the status of Mrs. Hanson has been deemed invalid, the tribal council has under other authority decided to put a question about Mrs. Hanson's status before the Red Lake electorate on March 26.

A letter to Tribal Chairman Roger A. Jourdain, signed by Deputy Assistant Secretary Rick Lavis reiterated a September 13, 1979, statement by Secretary Cecil D. Andrus that the prior attempted removal of Mrs. Hanson was not in compliance with the Red Lake Band's constitution. Lavis also told Jourdain the referendum election on Mrs. Hanson's status scheduled by the tribal council for March 26 could not make legal an action of the tribal council which has originally taken, was contrary to the band's own governing documents. "The election, if held would be advisory only and not be binding on this department,"

Lavis said. "We would expect the council to permit her to reassume her position and to allow her to function as treasurer as soon as she obtains a proper bond." He added that this could lead to the reinstatement of some of the tribal contracts and grants for which funding has been withheld because of the lack of a functioning treasurer. Lavis said if the council wanted to provide for the recall or removal of its district representatives or officers it should enact appropriate "removal and recall X" ordinances of general application as required by Section 2 of Article of the band's constitution.