



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

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## MEMORANDUM

TO: Minneapolis Area Director

FROM: Assistant Secretary - Indian Affairs

SUBJECT: Fee to Trust Reservation Status Request for the Forest County Potawatomi Community

We have reviewed your November 28, 1989, memorandum and attachments recommending that two tracts of land within the City of Milwaukee, identified as the "Menominee Valley site" and the "Concordia Campus site" be acquired in trust status on behalf of the Forest County Potawatomi Community (Tribe) and proclaimed to be part of the Tribe's reservation. You have also recommended that certain agreements, leases, and subleases be approved by the Secretary of the Interior.

Because we believe the subject request would be in the best interest of the Tribe and not detrimental to the surrounding community, I am approving your request that the two tracts be acquired in trust status only and approving certain agreements and leases. In granting this approval, please advise all parties that only the Secretary, pursuant to 25 U.S.C. 415 has the discretionary authority to terminate a lease on trust land. We do not feel that section 3(b) of the cooperation and jurisdictional agreement, which the Tribe and community school have executed with the City of Milwaukee, compromises the Secretary's discretionary authority on this issue, and are not requiring a change in the existing language. We hope this advice clarifies our position.

Please proceed to take whatever steps are needed to take the two tracts of land into trust pursuant to the existing agreements.