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LESSER SLAVE LAKE INDIAN REGIONAL COUNCIL

TREATY AND ABORIGINAL RIGHTS RESEARCH (TARR)
PROGRAM ARCHIVES

ARCHIVES ORIENTATION GUIDE FOR RESEARCHERS

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PART 1: LSLIRC-TARR PROGRAM MANDATE

Created in 1996, the Treaty and Aboriginal Rights Research Program (TARR) program operates under the auspices of the Lesser Slave Lake Indian Regional Council (LSLIRC). Upon Request, the program provides claims research services to the LSLIRC First Nations members and, in special circumstances, to other First Nations as well.

The program is non-political, and provides a technical service delivery only. Its mandate is to employ professional researchers to document historical claims or grievances of First Nations against the Federal Government. The claims deal with past breaches of treaty rights, violations of the Crown's statutory obligations, and improper administration of First Nation land, money or other assets by the Department of Aboriginal Affairs or other Crown agencies.

Upon completion of the research and writing phase, and after a review by legal counsel, the claims are presented to the TARR program's respective client First Nations. Each First Nation then has the option of submitting the claim to the Minister of Aboriginal Affairs and Northern Development for resolution.

LSLIRC-TARR PROGRAM ARCHIVE

In order to carry out this work, the TARR program maintains extensive archives of historical documents and oral history. The TARR program also maintains a collection of historical photographs, and provides support for an ongoing genealogical database research project. Historically these records were not intended for public use, but rather for claims research on behalf of the program's client First Nations. Access by the public was only authorized through Band Council Resolution from a sponsoring First Nation in accordance with the program's circulation policies and procedures.

More information regarding the LSLIRC-TARR program can be obtained by sending a written request to:

TARR Program Director
Lesser Slave Lake Indian Regional Council
P.O. Box 269
Slave Lake, Alberta
TOG 2A0

PART 2: LSLIRC-TARR CIRCULATION POLICY

The records maintained by the Lesser Slave Lake Indian Regional Council (LSLIRC) Treaty & Aboriginal Rights Research (TARR) program are collected primarily for the preparation of claims.

Public access to the Archives shall be governed by the following policies:

1. Public researchers shall have open access to records in the public domain. However, researchers wishing to access public records must first submit a record request to the Archivist detailing their scope and purpose for research to ensure that records sought are in the public domain, and to acknowledge that the LSLIRC-TARR Archives and member First Nations do not necessarily endorse or agree with these records. Where any doubt or question may exist that a record or records, are in the public domain, the LSLIRC TARR Archivist shall first consult with the Chief and Council of the affected First Nation(s) to seek direction.
2. Public researchers may only access private records related to a TARR-sponsored First Nation through a Council Resolution (CR) from the First Nation whose records they are requesting. The TARR-sponsored First Nation must provide the TARR program with a duly executed Council Resolution (CR), clearly authorizing the researcher to access the records being requested.
3. Providing the researcher first obtains a Council Resolution (CR) from the appropriate First Nation clearly granting the required permission, access to oral history interview transcripts or audio-visual recordings not already in the public domain shall then be governed by the terms, if any, under which those transcripts or recordings were allowed to be made by the subject individuals. Where those wishes cannot be readily determined, the LSLIRC TARR program may require the researcher to obtain written authorization from the subject individual (or their descendants if the subject individual is deceased).
4. Researchers wishing to access information pertaining to a non-TARR sponsoring First Nations held at the TARR Archives, will first require a CR from one of the TARR-sponsored First Nations. Depending on the sensitive nature and the age of the material requested, the Archivist may require the researcher to acquire additional written permission from the non-TARR sponsoring First Nation.
5. Researcher access to files originally obtained under federal or provincial access to information legislation remains subject to the controls provided for under that legislation. For access to such files, or to any other files considered confidential by the First Nations to which they pertain:

- a. A researcher must obtain a valid CR from the First Nation whose records they are requesting. This CR must clearly authorize the researcher to access the information being asked for.
 - b. A researcher will be permitted to access only those confidential records pertaining to the First Nation from which they have a CR. Access to other First Nations' confidential records will require separate CRs from those First Nations.
 - c. Individual researchers requesting records pertaining to themselves or to their linear ancestors may do so provided they first obtain a CR from their First Nation (and from any other First Nations whose records they wish to access). However, they may access records pertaining only to linear ancestors who have been deceased for a minimum of twenty years. Access to information on a family member who is living will be allowed only if the researcher obtains written permission from that person.
 - d. For access to records originally obtained by the LSLIRC TARR program under Paragraph 8(2) k of the federal *Privacy Act*, the researcher shall be required to sign an undertaking that the records will be used by them only for the purpose of "researching or validating the claims, disputes, or grievances of any of the aboriginal peoples of Canada." In addition, the researcher must first obtain a CR from the appropriate First Nation, which clearly grants the required permission.
6. In the case of band divisions, the successor First Nation's researchers may access the common records of the original band only to the date of division. Access to any records subsequent to the date of division will require a CR from that successor First Nation to which the records pertain, and which clearly authorizes the researcher to access the information being asked for.
 7. The LSLIRC TARR Program Director shall have the authority to set, from time to time and as may be necessary, fees or other charges for photocopying and any other services not funded by Aboriginal Affairs and Northern Development Canada (AANDC).
 8. A decision by the Archivist may be appealed to the TARR Program Director. Any further appeal must be brought in writing and through a sponsoring LSLIRC TARR program member First Nation to a quorum of the LSLIRC TARR program member Chiefs or their representatives for a final decision.

PART 3: LSLIRC-TARR INFORMATION SHARING POLICY

The Lesser Slave Lake Indian Regional Council (LSLIRC) Treaty & Aboriginal Rights Research (TARR) program gathers confidential information as a necessary part of its claims research and writing work. Some of this information can be of highly sensitive nature, and requires strict controls on its circulation. However, sharing of such information between the LSLIRC TARR program member First Nations can occasionally be mutually beneficial. The following policy is intended to ensure the confidentiality of sensitive records is preserved, while routine information sharing can be possible where it is mutually beneficial for the participating First Nations.

INFORMATION SHARING IN CLAIMS RESEARCH AND WRITING

1. Sharing of confidential records between LSLIRC TARR program client First Nations for claims research purposes shall be allowed on a routine, discretionary basis only in obviously non-conflictual situations (i.e. where such sharing will be clearly mutually beneficial to the First Nations involved).
2. In situations where any risk exists that the proposed sharing of confidential records may be to the detriment of any one First Nation, then permission in the form of a Council Resolution must first be secured from the First Nation which stands to be adversely affected.
3. Any First Nation may decline to allow its information to be shared at any time. If a LSLIRC TARR program client First Nation does not wish to allow the discretionary sharing of its confidential records, either in a specific instance or in general, then it shall notify the LSLIRC TARR program director of its decision through a CR. LSLIRC TARR Staff and consultants shall be required to respect such a decision in any subsequent handling of the information in question.
4. Any challenges to, or protests regarding, the Information Sharing policy shall be dealt with through the LSLIRC TARR program Dispute Resolution Process (see the LSLIRC TARR General Processing Manual).

PART 4: ACCESS TO INFORMATION BY TARR CLIENT FIRST NATIONS

1. Any LSLIRC TARR client First Nation may obtain access to or, copies of, records, which the LSLIRC TARR program has obtained on its behalf (subject to reasonable notice as well as TARR program staff and funding availability to accommodate the request).
2. A request for access to confidential information from a LSLIRC TARR client First Nation shall be in form of a duly executed Council Resolution.
3. In the case of a request by one of the First Nation for the records of another First Nation, such a request shall be governed by the LSLIRC TARR Program Circulation Policy, and any disputes or protests shall be dealt with through the LSLIRC TARR Program Dispute Resolution Process (see the LSLIRC TARR General Processing Manual).

PART 5: REPRODUCTION SERVICES & COPYRIGHT

The Archives offers reproduction services to its Specific Claims Researchers and the public.

Adhering to the Fair Dealing provisions of the *Copyright Act*, the Archives will provide single copies of records for the purposes of research, private study, education, criticism, reporting and review.

For any other purposes outside of exemptions set by the provisions of Fair Dealing, please contact the Archivist as authorization from the copyright owner of the work may be required.

If reproduction services are requested, please note that:

- Reproductions will only be made if the process does not damage the physical integrity of the record. Any record in a fragile state will not be reproduced.
- Reproductions will not be made that violates the Copyright Act, or the access policies set by the LSLIRC-TARR Program
- Archival or secondary resources will not be loaned to be reproduced outside of the Archives
- Payment must be received first by the Archives before Reproduction Services can commence
 - Payment may be made by cash, cheque or money order payable to the LSLIRC-TARR Archives. Unfortunately credit card or debit card services are unavailable at this time.

Please consult the following page for reproduction service fees.

REPRODUCTION SERVICE FEES:

Paper copies of textual records	\$0.25/page
Digital copies of textual records	Digital copies of textual records are free if the requested records fall under the scope of the Long Term <i>Paper-to-Digital Access Project</i> . Please inquire with the Archivist for further information.
Physical copies of photographs	Please contact the Archivist for details
Digital copies of photographs	\$2.00/image Additional postage fees will be required if mailing and courier services are required.
Sound recordings	\$5/CD or DVD Includes disc and administrative fees. If mailed or couriered, additional postage fees will be required.

Please note that reproduction service fees may change without notice.

PART 6: LSLIRC-TARR Office General Information

Sponsoring Client Nations: Driftpile Cree Nation
Kapawe'no First Nation
Sawridge First Nation
Sucker Creek First Nation
Swan River First Nation
Sturgeon Lake Cree Nation
Horse Lake First Nation

General Contact Information

LSLIRC TARR Office

Kelly-Anne MacNeil, Archivist
Peter Havlik, Director

Telephone: (780) 849-9360
Fax: (780) 849-9370

Physical Address:

2nd floor, Slave Lake Plaza
201 Main Street
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LSLIRC Office

Allen Willier, Chief Executive Advisor

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