



Little Traverse Bay Bands of Odawa Indians
7500 Odawa Circle, Harbor Springs, MI 49740

TRIBAL COUNCIL TRAVEL NARRATIVE

Submitted by: Treasurer Reyes

Training/Event: State Bar of Michigan Annual Meeting/Indian Law Section
Location: Grand Rapids, MI
Date of Event: Thursday, September 22, 2016

Thank you fellow Council members and the Citizens of LTBB for allowing me the opportunity to attend "Fighting Poverty in Indian Country: Alternative Programs Under the Tribal General Welfare Exclusion Act of 2014". The following is a brief travel report/summary:

Thursday – September 22, 2016

Departed from Harbor Springs, MI the morning of the training. In attempt to assist with cost saving measures, travel was completed via carpooling.

Arrived at DeVos Place in Grand Rapids, MI early enough to attend the MILS Annual Business Meeting held prior to the training.

Chief Judge presented Judge Angela K. Sherigan with the Tecumseh Peacekeeping Award. During her acceptance speech Judge Sherigan credited Legislative Services Attorney, Donna L. Budnick with the reason that she began her work with inmates and tribes. "We need to help each other."

Tanya Gibbs, LTBB tribal descendant was elected to the Chair position of the American Indian Law Section during their annual meeting.

Fighting Poverty in Indian Country: Alternative Programs Under the Tribal General Welfare Exclusion Act of 2014

Moderator:

James Keedy, Michigan Indian Legal Services, Traverse City, MI

Speakers:

William Brooks, Nottawaseppi Huron Band of Potawatomi, Manistee, MI

Kim T. Dunn, Indian Tribal Governments Office, IRS, Denver, CO

Lisa Ruby, Michigan Poverty Law Program, Ann Arbor, MI

There was some eye opening information shared during this training. The following are the most significant pieces of information that I learned at this training:

- 1) LTBB annual per cap distribution could be considered tax exempt if it was designated for the purpose of "purchasing food for holiday meals".
- 2) Any items of cultural significance, reimbursement of costs, or cash honorariums for participation in cultural or ceremonial activities for the transmission of tribal culture shall NOT be treated as compensation for services.
- 3) Recipients cannot set the price, therefore Pow Wow Drummers and dancers DO NOT NEED TO REPORT contest winnings or honorariums for participation.
- 4) Pipe carriers and Traditional Healers are tax exempt if they DO NOT SET THE PRICE.
- 5) Accounting needs to supply recipients with a corrected 1099 or a tribal letter to file with tax form 1040X.
- 6) Tax form 1040X can be utilized for the past three years to recoup taxes paid on exempt monies.

Tribal General Welfare Exclusion Act of 2014, PL 113-168 [HR 3043]: An act to amend the Internal Revenue Code of 1986 to clarify the treatment of general welfare benefits provided by Indian tribes.

- IN GENERAL – Gross income does not include the value of any Indian general welfare benefit.
- INDIAN GENERAL WELFARE BENEFIT – Payments made or services provided to or on behalf of a member of an Indian tribe (*or any spouse or dependent of such a member*) pursuant to an Indian tribal government program, but only if-
- the program is administered under specific guidelines and does not discriminate in favor of members of the governing body of the tribe, and
- (2) the benefits provided under such program –
 - (A) are available to any tribal member who meets such guidelines,
 - (B) are for the promotion of general welfare,
 - (C) are NOT lavish or extravagant, and
 - (D) are NOT compensation for services.

The IRS has been instructed to suspend all audits until after there has been training and education for internal revenue field agents who administer and enforce internal revenue laws with respect to Indian tribes on Federal Indian law and the Federal Government's unique legal treaty and trust relationship with Indian tribal governments and training of such internal revenue field agents, and provision of training and technical assistance to tribal financial officers, about implementation of this Act and the amendments made thereby.

I found this training very informative.

Miigwech for the opportunity to attend such a beneficial presentation.

Manuela R. Reyes