

**LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
7500 ODAWA CIRCLE, HARBOR SPRINGS, MI 49740**

Tribal Council Travel Report Narrative

Name:	Julie Shananaquet, TC Member	Date:	October 15, 2015
Training/	MILS 40 th Anniversary Fundraiser	Mt. Pleasant, MI	October 13, 2015
Event:	United Tribes of Michigan Meeting	Mt. Pleasant, MI	October 14, 2015

I respectfully submit this report to my fellow Tribal Council members and the Citizens of LTBB and would like to thank Interim Chairperson Regina Gasco Bentley for her donation to the Michigan Indian Legal Services (MILS) which allowed LTBB representatives the opportunity to attend this historic event.

Tuesday, October 13, 2015

Note: In keeping with practice of cost saving measures, Chairman Gasco Bentley, Councilor Law and I car-pooled to and from Mt. Pleasant, MI. Please see Attachments A for information regarding MILS 40th Anniversary event and brief history.

The MILS reception and silent auction was well attended by the Michigan Tribes and the MILS Attorneys/Board Members. Frank Ettawageshik, officiated the gala event, and our very own Secretary Aaron Otto provided entertainment. The Saginaw Chippewa Tribe served up a delicious meal and stories were shared regarding MILS beginnings and near closing. Now 40 years later, MILS still exists providing continued services to Native Americans throughout Michigan.

As a special note of interest and maybe a hint of blushing for General Counsel James Bransky(!), Mr. Ettawageshik shared the story of how Jim came to be our attorney (Harbor Springs, Indian Town streets/curbing) and proceeded to share one of Mr. Bransky's hilarious and embarrassing(?) circumstances experienced during a visit to Washington, DC for the federal reaffirmation. *Natives and their humor, you just have to love it.*

I am very thankful our Tribe showed support for MILS and was very honored to meet past and current associates of the Michigan Indian Legal Services, also, it was a pleasure "hob nishnobbing" with the other tribal leaders and program directors in attendance.

Wednesday October 14, 2015

Note: Please see attachments B for information associated with the United Tribes of Michigan (UTM) Meeting.

I was unable to attend the 7:00 am Breakfast(!) nor did I attend the UTM **Executive meeting** and election of officers. However as a note of interest: Congratulations are in order for Chairman

Celebrating MILS's 40th Anniversary



Soaring Eagle Casino & Resort

Mt. Pleasant, Michigan

October 13, 2015

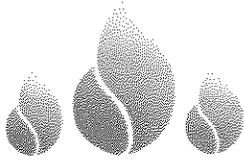
Host Committee

*Karrie Wichtman, Chairperson;
Professor Kirsten Carlson, Honorable Allie Maldonado,
Tom St. Dennis, Honorable Angela Sherigan,
And Honorable Tanya Wanageshik*

*This event honors
Michigan Indian Legal Services 40th Anniversary
with net proceeds benefiting
Michigan Indian Legal Services
through the
Access to Justice Fund.*



Attachment A, pg 1



Highlights of Michigan Indian Legal Services

1975 – Michigan Indian Legal Services incorporated.

1978 – MILS filed the Grand Traverse Band of Ottawa and Chippewa Indians' petition for federal recognition. In 1980 GTB became the first tribe in the USA to be recognized under the new Bureau of Indian Affairs regulations.



1988 – In the 1980's, MILS started working with Lac Vieux Desert Band of Lake Superior Chippewa Indians to gain federal recognition as a separate and distinct tribe. LVD was legislatively recognized as a separate tribe in 1988.

1994 – MILS provided federal recognition work for the Little Traverse Bay Bands of Odawa Indians, Little River Band of Ottawa Indians and the Pokagon Band of Potawatomi. All three were legislatively reaffirmed in 1994.

1996 – In re Elliott, MILS obtained a decision stopping the application of the so-called "Existing Indian Family Exception" to Indian Child Welfare Act cases in Michigan.



2005 – MILS started representing parents in tribal court child welfare proceedings. By the end of 2014, MILS handled forty-three separate child welfare cases in 6 different tribal courts.



2008 – MILS started representing individuals charged with criminal offenses in these tribal courts: Little Traverse Bay Bands, Grand Traverse Band and Little River Band. MILS has also provided criminal defense representation in the Bay Mills, Pokagon, and Nottawaseppi Huron Band Tribal Courts.



2008 – In *Empson-Lavolette v. Crago*, MILS secured a Court of Appeals ruling that the Indian Child Welfare Act applied to guardianship cases in Michigan. Also, when an Indian parent voluntary places their child in a guardianship, they have the right to the return of their child upon request.



United Tribes of Michigan

5453 Hughston Rd, Harbor Springs, Michigan 48823

Phone: 517-802-8650 Email: fettawa@charter.net

Frank Ettawageshik, Executive Director

Agenda, October 13 and 14, 2015, Mt. Pleasant, Michigan Soaring Eagle Casino Conference Center

Michigan Federally Recognized Tribes:

Hannahville Potawatomi
Indian Community
(Member)

Keweenaw Bay
Indian Community
(Member)

Lac Vieux Desert
Band of Lake Superior
Chippewa Indians
(Member)

Little River Band of
Ottawa Indians
(Member)

Little Traverse Bay
Bands of Odawa Indians
(Member)

Match-E-Be-Nash-She-Wish
Band of Pottawatomi Indians
(Member)

Nottawaseppi Huron Band of
Potawatomi Indians
(Member)

Pokagon Band of
Potawatomi Indians
(Member)

Saginaw Chippewa Indian
Tribe of Michigan
(Member)

Sault Ste. Marie Tribe of
Chippewa Indians
(Member)

Bay Mills Indian Community

Grand Traverse Band of
Ottawa and Chippewa
Indians

Tuesday, October 13, 2015

1:00 PM to 5:00 PM - Building Strong Sovereign Nations training
Soaring Eagle Casino Resort, Three Fires Room
Participants need to register with Emily Proctor at BSSN

5:00 PM to 10:00 PM, MI Indian Legal Services 40th Anniversary Event
Black River/Swan Creek Rooms (tickets purchased separately)

Wednesday, October 14, 2015

Soaring Eagle Casino Resort, Three Fires Room

7:00 AM *Breakfast (provided courtesy of SCIT)*
8:00 AM UTM Executive Board Meeting for Election of Officers
8:30 AM Opening Ceremony – presentation of flags, opening prayer
9:00 AM Call to Order, Roll Call, and Approval of Agenda – President Mandoka
9:05 AM Welcome by Chief Steven Pego, SCIT
9:10 AM Approval of Minutes: 6-11-2015 *pages 2-9*
9:15 AM President's Comments – Chairman Mandoka
9:20 AM Finance Report – Treasurer Romanelli *pages 10-15*
9:25 AM Executive Directors Report – Frank Ettawageshik *pages 16-21*
9:40 AM Legal Update – Brian Pierson, Godfrey & Kahn
10:10 AM Midwest Regional Health Board – Kara Schurman Exe. Director
10:30 AM MDCR Tuition Waiver – Melissa Kieswetter
10:50 AM MSU Extension Service – BSSN report and other projects
11:10 AM Tribal Leaders Discussion – Resolutions
1) Domestic Violence Awareness Month; 2) Rename Fort Custer; 3) *pages 22-31*
UTFAV Support; 4) Opposition to S 1879 Interior Improvement Act

11:30 AM *Lunch – Swan Creek Room, (provided courtesy of SCIT)*

12:15 PM MI Department of Health and Human Services – Stacey Tadgerson
12:35 PM Uniting Three Fires Against Violence – Lori Jump
12:55 PM Veteran's Affairs Presentation
Jason Allen, MI Dept. of Military and Veterans Affairs
1:15 PM FEMA – Bill Sulinckas, Regional Tribal Liaison
1:35 PM EPA update - Darrel Harmon
1:55 PM Native American Institute – Dr. John Norder, Interim Director
2:10 PM Tribal State Summit Follow up - David Nyberg Office of the Governor
2:25 PM MEDC – Tom Durkee
2:40 PM Tribal Leaders Open Discussion
2:55 PM Closing remarks
3:00 PM Adjourn

Kara Schurman
Director, Midwest Area Tribal Health Board

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Great Lakes Inter-Tribal Epidemiology Center

U.S. Environmental Protection Agency



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Attachment B, pg 2

United Tribes of Michigan

5453 Hughston Road, Harbor Springs, Michigan 49740

Phone: 517-802-8650 Email: fettawa@charter.net

Frank Ettawageshik, Executive Director

TO: Members of the Michigan Congressional Delegation

FROM: United Tribes of Michigan

DATE: September 23, 2015

RE: Support for H.R. 511 and S. 248 ~ Tribal Labor Sovereignty Act

The membership of United Tribes of Michigan is open to all of the twelve federally recognized tribes located in Michigan. Our organization provides a forum for the Tribes in Michigan to address issues of common concern and is committed to join forces to advance, protect, preserve and enhance the mutual interests, treaty rights, sovereignty, and cultural way of life of the sovereign Indian Tribes of Michigan throughout the next seven generations. We have as our mission to engage, as a matter of mutual concern, issues that impact the health, security, safety, and general welfare of Native Americans.

We are writing to urge you to actively support the Tribal Labor Sovereignty Act of 2015 (H.R. 511 and S. 248). Some, but not all of you, are co-sponsors. We anticipate floor votes in the next few weeks and need all of you to affirmatively support enactment of this legislation this year. This legislation is not a union versus tribes issue. Instead, it is a Tribal sovereignty issue. It would clarify federal law to restore the governmental parity tribes had under the National Labor Relations Act of 1935 (NLRA) until 2004.

As a matter of Tribal sovereignty, American Indian Tribal governments should be treated as governmental employers -- the same as are state and local governments -- under the NLRA. Anything less than H.R. 511 or S. 248 would violate the U.S. Constitution which, as you know, has always recognized Indian Tribes as governments. If Congress does not act to correct the misguided decisions of the NLRB and certain lower courts, this will only compound their error at the expense of tribal sovereignty and self-determination.

Enterprises owned and operated by Tribal governments are the primary source of revenue we have to fund vital Tribal governmental services for Tribal members. Tribal enterprise revenues are a public benefit rather than private interest. The legislation would support Tribal sovereignty by restoring the right of each Tribe to make its own decisions on the management of labor relations on its own lands with its own employees.

The NLRA has always protected the sovereign right of governmental employers to define their own collective bargaining rights and to avoid work stoppages and strikes in their

United Tribes of Michigan, Support for H.R. 511 and S. 248 ~ Tribal Labor Sovereignty Act

September 23, 2015, Page 1

Attachment B:

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United Tribes of Michigan

5453 Hughston Road, Harbor Springs, Michigan 49740

Phone: 517-802-8650 Email: fettawa@charter.net

Frank Ettawageshik, Executive Director

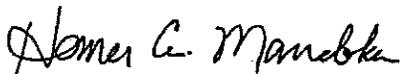
governmental workforces. For most of its first 70 years, the National Labor Relations Board (NLRB) interpreted the NLRA to include Tribes and Tribal enterprises within its definition of sovereign governmental employers. Eleven years ago, however, a new NLRB interpretation of the NLRA emerged, without a change in the statute, treated tribal governments the same as the NLRA treats private sector employers. This new interpretation puts at risk jobs and revenue generated by tribal government employers.

All other governments, and their 21 million workers, are treated as exempt employers under the NLRA, and many of these workers reside in jurisdictions other than those of their governmental Employers. Tribal governmental employers, and their governmental interests, deserve no less respect than is accorded other governments and their interests.

In 2009, then Senator Daniel K. Inouye (D-HI) supported bill language like this because it would restore tribal sovereignty, in federal labor law, to the position it was in for almost 70 years. We urge you to work hard with your colleagues on Capitol Hill to enact this technical bill language before the end of 2015 and restore our tribal sovereignty as employers.

In this spirit of government to government relations and in view of each of you as our "trustee", we ask that you make contact with the tribal nation located within your Congressional District.

Respectfully,



Homer A. Mandoka, President

United Tribes of Michigan

United Tribes of Michigan, Support for H.R. 511 and S. 248 ~ Tribal Labor Sovereignty Act

September 23, 2015, Page 2

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Attachment B: 094



October 16, 2015

Ahneen, Boozhoo Fellow Sault Tribe Members:

The Tribal Board has asked me to provide you with an update on a few key items and to ask for your support and action in solidarity on these items. Our position on these items is not a partisan one but is in the overall best interests of our Tribe. We ask that our Senators and House representatives vote in favor of bills that support tribal sovereignty and funding that we rely upon as both a trust and treaty responsibility. Please see below how you can help.

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Chairperson

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Sault Tribe Member
Meetings Livestream:
<http://www.ustream.tv/channel/russmckerchie>

HOW TO CONTACT YOUR CONGRESSIONAL REPRESENTATIVE

To contact your Congressional Representative, go to the link below. Please take the time to weigh in on one or more of these items. Urge them to respect our sovereignty and vote in favor of bills that serve the overall best interests of our Tribe. Here are a few summaries of the issues.

<https://www.opencongress.org/people/zipcodelookup>

Graymont Mine at Rexton, Mich.: We continue to be deeply concerned about the State of Michigan's decision to sell state-owned public lands in our treaty ceded territory to Graymont, a Canadian limestone mining company. Graymont initially announced a plan to purchase more than 11,500 acres of state-owned public lands in the Rexton area of the Eastern UP. Our Tribe was an early and vocal opponent of this plan. We met with the Michigan DNR several times to oppose this unprecedented and massive sale of public lands. While our objections had an impact, the State ultimately approved a scaled back version of Graymont's plan whereby they are acquiring 2,000 acres of surface lands. On the remainder of the property, about 7,000 acres, Graymont will be limited to acquiring underground mineral rights and the state will continue to own and control the surface land. For now, the right of Tribal members to access the surface lands for hunting, fishing, and gathering is preserved on most of the affected lands.

We remain deeply disappointed in the outcome as it is still a massive sale of public land and mineral rights. We feel it significantly diminishes the areas available to exercise our hunting, fishing and gathering rights. We will oppose similar proposals in the future.

“Treaty Awareness Walk to DC 2015” On a personal note, I support the spirit and tenacity of our Tribal Members who are a part of the grassroots efforts which is chronicled on a Facebook site by this name. At this juncture, the Tribe remains vigilant in our opposition and will monitor similar special interest transactions. We are frustrated at the outcome and share the desire to educate government officials of the need to protect our inherent and retained treaty rights. The work I and other Board Members do at the national level is always with this in mind.



The Sault Tribe is a partner with NCAI to promote the Native American vote. To find out how you can help, please visit this site:

<http://www.ncai.org/initiatives/native-vote>

Attachment C: Sample letter to Citizens pg 1

Enbridge Line 5 Imminent Threat: The pipeline at the Straits of Mackinac is an accident waiting to happen. I have personally seen the devastation from the 2010 catastrophic pipeline failure in Michigan at the Kalamazoo River while I worked as the Executive Director for the local tribe there. The devastation of a spill at the Straits, to our tribal fishers and their livelihoods, cannot be overstated. Likely, our centuries old fishing way of life would cease. Senators Stabenow and Peters have introduced a bill in the US Senate dealing with pipeline safety, specifically banning oil shipments by tanker ship in the Great Lakes and assessing the current status of oil spill response and cleanup plans. In response to the Michigan Pipeline Safety Task Force recommendations, Governor Snyder recently created the Michigan Pipeline Safety Advisory Board, a great first step. The Governor, however, included Enbridge on that board but failed include any tribal representation. **Please call Governor Snyder's office (517) 373-3400 in Lansing or at his UP Office at (906) 228-2850** and ask for tribal representation on this important pipeline safety advisory board, as we as American Indians have the responsibility of protecting our waters and the most to lose when catastrophes occur.

Tribal Labor and Sovereignty Act of 2015 (S248; HR511): Please contact your Congressional Rep. and ask for their strong support of the *Tribal Labor and Sovereignty Act*. For purposes of labor law, the bill treats Tribal governments in the same manner as state and local governments. The bill requires that the National Labor Relations Act exempt Tribes from its list of "employers" (just as it does for state and local governments) and withholds Tribal businesses from the jurisdiction of the National Labor Relations Board. In short, this bill protects the sovereignty status of tribes.

Tribal Employment and Job Protection Act of 2015 (S. 1771; HR 3080): This bill amends the Internal Revenue Code to exclude from the definition of "applicable large employer" for purposes of the employer health care mandate under the *Affordable Care Act*: (1) any Indian tribal government or subdivision, (2) any tribal organization, or (3) any corporation or partnership if more than 50% of the equity interest of such an entity is owned by an Indian tribal government or tribal organization.

Please contact your U.S. Senators and Congressional Representative as noted above today and please send me an email (aaronpayment@saulttribe.net) to confirm once you have done so. Your voice is important. Join us in protecting our future for the next Seven Generations and beyond.

Chi McGwitch, Negee,



Attachment @ — pg 2