

The Saginaw Chippewa Indian Tribe Of Michigan

7070 EAST BROADWAY

MT. PLEASANT, MICHIGAN 48858

(989) 775-4005

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November 9, 2007

ALERT!! MARK-UP OF OFF-RESERVATION GAMING BILLS

MAKE SURE YOU KNOW WHAT YOU ARE VOTING FOR:

The House Resources Committee has scheduled a mark-up for next Thursday on two bills that would for the first time authorize off-reservation gaming by the Congress.

Our Tribes urges you to oppose efforts to have Congress pass an off-reservation gaming bill FOR THE FIRST TIME IN HISTORY.

Please read the attached letter, these two bills are based on a land claim that does not even exist.

We strongly urge you to oppose H.R. 2176 and H.R. 4115:

**** THESE BILLS AUTHORIZE THE LARGEST EXPANSION OF OFF-RESERVATION GAMING IN HISTORY**

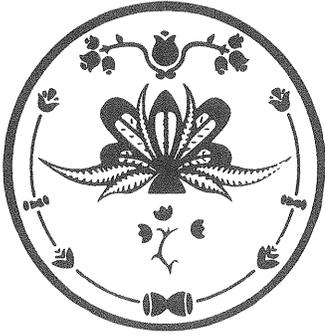
**** THE PROPOSED CASINOS ARE LOCATED OVER 350 MILES FROM THE TWO TRIBE'S RESERVATIONS**

**** THEY UNDERMINE THE INDIAN GAMING REGULATORY ACT**

**** THEY UNDERMINE THE AUTHORITY OF THE MICHIGAN STATE LEGISLATURE**

**** THESE BILLS ARE OPPOSED BY A BI-PARTISAN GROUP OF THE MICHIGAN CONGRESSIONAL DELEGATION**

**** THE CONCEPT OF THIS BILL IS EVEN OPPOSED BY THE NATIONAL INDIAN GAMING ASSOCIATION AND THE NATIONAL CONGRESS OF AMERICAN INDIANS.**



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Dear House Resources Member:

On behalf of the Saginaw Chippewa Indian Tribe, I am writing to express my strong opposition to the committee mark-up of H.R. 2176 and H.R. 4115, two bills that would settle a "proposed land claim" and enable the Bay Mills Indian Tribe and Sault Ste. Marie Tribe to build casinos hundreds of miles from their reservations and on lands that are part of our ceded territories and ancestral lands.

Last year, the House Resources Committee passed a bill that would severely restrict any off-reservation gaming projects. In fact, the bill reported last year by the House Resources Committee would have eliminated the land claim exception under the Indian Gaming Regulatory Act. These two bills would allow one of the most egregious examples of reservation shopping to move forward and would completely undermine the Indian Gaming Regulatory Act.

First and foremost, the Bay Mills Tribe and the Sault Ste. Marie do not have any ties or claim to the lands they want to use to settle this "proposed land claim." In fact, both of these Tribes reservations and the disputed land claim are both located in Michigan's Upper Peninsula several hundred from where the Tribes wants to build casinos. It is the Saginaw Chippewa Indian Tribe that ceded these lands to the U.S. Government in the Treaty of Greenville of 1795 and the Treaty of 1819. The Bay Mills Tribe and the Sault Ste. Marie Tribes were never party to these treaties and they have no historical or cultural ties to these lands. Moreover, when our Tribe received disbursements from our land claim over 20 years ago, the Bay Mills Tribe and the Sault Ste. Marie Tribe were not part of the settlement because they have no historical claim to the land. However, both of these Tribes did receive millions of dollars in funding under the most recent Indian Claims Commission settlement for lands in the Upper Peninsula where their reservation is located.

Furthermore, there is nothing to suggest that these are valid land claims in the first place. This "proposed land claim" has never been favorably adjudicated in any judicial or legislative forum. In fact, the Michigan Court of Claims ruled against the Bay Mills Tribe on the merits and the federal district court ruled that the Sault Ste. Marie Tribe is a necessary party and that the suit could not proceed without them. It is also our understanding that the Federal Government is usually involved in the settlement of Indian land claims. In this case, the Department of Interior and the Department of Justice were never parties to this agreement. Moreover, the Department of Interior maintains a list of all potentially viable land claims. The purported Bay Mills/Sault Ste. Marie claim is not on that list.

This proposed legislation would also seriously undermine the Indian Gaming Regulatory Act and create a dangerous legislative precedent throughout Indian Country. It is important to note that both the Bay Mills Tribe and the Sault Ste. Marie Tribe currently operate several gaming facilities on their reservation. This bill would set a dangerous precedent by allowing the Tribes to exploit the land settlement exception of IGRA to build a casino over 300 miles from its reservation and in the treaty territories of another Tribe. We do not believe that this provision of IGRA was written to allow Tribes to move hundreds of miles from their reservations and

compete with other Indian Tribes that have casinos on their reservation lands. Clearly, this would violate the intent of IGRA and would cause tremendous economic hardship to our Tribe. It would also create a national precedent that would have a detrimental impact on Indian gaming nationwide.

Equally troubling is the fact that the passage of this legislation would ratify a Tribal/State gaming compact for the first time in history. Gaming compacts are approved by the Department of Interior and no other gaming compact has ever been codified in federal statute. Also, the current Tribal/State gaming compacts in Michigan, which Bay Mills and Sault Ste. Marie are signatories, prohibits Tribes from conducting off-reservation gaming without the concurrence of the other Tribes who have signed the compact. This provision was added to the Michigan compact to prevent a rash of off-reservation projects throughout the state. H.R. 2176 and H.R. 4115 would seriously undermine the Michigan Gaming Compact and the authority of the Michigan Legislature who never approved this agreement.

It is important to know that there is widespread opposition to this legislation from Indian Tribes in Michigan and members of the Michigan Congressional delegation. The Department of Interior has also expressed concerns about this legislation. We urge you to oppose any action that would allow this bill to move forward in the legislative process. It is bad for Indian Tribes in Michigan and would only serve to undermine the Indian Gaming Regulatory Act that has allowed many Tribes to build self-sustaining economies for their people.

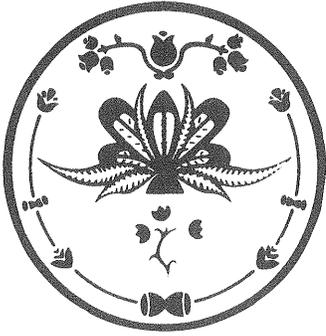
Thank you for all you have done to improve the quality of life for Indian Country. We look forward to working with you in the future.

Sincerely,



Fred Cantu, Jr., Chief
Saginaw Chippewa Indian Tribe

CC: House Resources Committee
Michigan Congressional delegation
House Leadership



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November 9, 2007

The Honorable Nick Rahall
Chairman, House Committee on Resources
1324 Longworth House Office Building
Washington, D.C. 20215

Dear Chairman Rahall:

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Mr. Chairman, last year you voted for legislation that would severely restrict any off-reservation gaming projects. In fact, the bill reported last year by the House Resources Committee would have eliminated the land claim exception under the Indian Gaming Regulatory Act. These two bills would allow one of the most egregious examples of reservation shopping to move forward and would completely undermine the Indian Gaming Regulatory Act.

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