

Tribe is a major player in federal Indian policy



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In August, Chairman Payment, Director Hoffman and myself met with Secretary of Commerce Penny Pritzker when she visited the Upper Peninsula. This was part of President Obama's commitment to have all federal agencies visit Indian Country. We took the opportunity to spell out how the Department of Commerce could better assist in meeting the challenges we face as a tribe. Chairman Payment advocated for better access to census data, Director Hoffman pressed for economic development resource support and I requested the Department of Commerce work collaboratively across multiple federal agencies in order to bring workforce training and employment initiatives to fruition. It was a short but informative meeting. We also learned how other tribes have brought economic development projects to successful delivery by utilizing the agency's financial and technical assistance.

Last Dec. 16, President

Obama recognized communities across the nation as Climate Change Champions. Sault Tribe was one of two tribes to receive this recognition. In September, we were invited by the Department of Energy to attend the Tribal Energy Summit in Washington, D.C., in order to present our tribe's climate change plans and strategies. I attended along with our environmental director, Kathleen Brosemer, and our strategic planner, Larry Jacques. We participated in panel discussions focused on energy policy, science and technology, economy and regulation, and jobs and workforce. Other participants included the Department of the Interior, Department of Agriculture, the Environmental Protection Agency and members of Congress and the White House Council on Native American Affairs.

Additionally, we were invited to participate in the annual meeting of the Indian Country Energy and Infrastructure Working Group. This gave us an opportunity to go on the record and provide input on decision that have the potential to impact tribes in the Great Lakes region—for instance, the ultimate disposition of the Presque Isle Power Plant. This is not a decision merely between the states and commercial investors. The mines and the remaining paper producers have alternative methods of procuring electrical power, which leaves the tribe as one of the largest electrical cus-

tomers in the Upper Peninsula. We should be asserting our government-to-government relationship with the DOE and FERC to ensure our interests are taken into equitable consideration when deals are made and decisions are handed down regarding the Presque Isle plant. We pay some of the highest utility rates in the country. Our tribe's electricity bill is over \$3 million dollars annually. It will only increase over time and strategies to reduce energy consumption, as well as produce some of our own energy, deserves to be looked at—for the sake of economic sovereignty.

Pope Francis happened to be in town the same time as the tribal summit. I was able to secure tickets through Congressman Benishek's office for myself and staff to attend the telecast of Pope Francis' address to the joint meeting of Congress. I admit some feelings of conflict regarding the pope's canonization of Junipero Serra while on his trip to the United States. We raised our family in the shadow of the California missions — Santa Barbara Mission, La Purisima, Santa Inez. Beautiful places that we embraced and enjoyed, even knowing the mission system was the arm of subjugation, enforced slavery and colonization of the native populations who belonged to that land. Reconciling the past is not easy for indigenous populations. Never forget, but never be consumed by the past. This pope

has been a moral advocate for the human rights of indigenous people. We are still here and we have an obligation to be strong for our future generations.

In November, I will be traveling to Boise Forté Reservation in Minnesota for an EPA regional tribal caucus meeting. This will be an important operational meeting as treaty rights are the big item on the agenda. Currently, EPA is engaging Indian tribes across the nation in government-to-government consultation regarding, "draft guidance on discussing treaty rights."

Some background: EPA Administrator McCarthy released a memorandum commemorating the 30th anniversary of EPA's Indian Policy on Dec. 1, 2014. The memorandum provided a clear statement on the need to honor and respect tribal treaty rights and their role in the context of EPA's actions. EPA is developing this draft guidance to help implement the treaty rights objectives in the administrator's memorandum.

What does this draft guidance do? The guidance document will spell out how the EPA

approaches decision-making and actions that could impact natural resources or environmental conditions protected by treaty rights. This draft guidance does not create any new legal obligations for EPA, expand the authorities granted by EPA's underlying statutes or alter or diminish any existing EPA treaty responsibilities.

What this means for our tribe (and other 1836 Treaty tribes): We do not have large "reservation" land holdings. We have retained treaty-protected rights that exist on state and federal public lands as well as on the Great Lakes waters. We have to stand up and make sure that treaty protected rights on **ceded lands and waters** get the same consideration as treaty rights on reservation land holdings. This is a very big deal, folks, and will be incredibly important moving forward in protecting the human and cultural health of tribal nations.

Next month, I will do my best to address internal tribal issues.

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