

**Statement
Of
Dr. Christopher Petras
At The Hearing
Before The
United States Senate Committee on Indian Affairs
On
Lobbying Practices Involving
Indian Tribes**

September 29, 2004

Mr. Chairman and distinguished Members of the Committee:

I am pleased to be here this morning to participate in this hearing regarding the lobbying practices involving Indian tribes. I was employed by the Saginaw Chippewa Indian Tribe of Michigan in their Legislative Affairs Department for a little more than five years beginning in December of 1998 as Policy Research Analyst and ending in January of 2004 as Director of Legislative Affairs. During my employment with the Saginaw Chippewa Indian Tribe of Michigan I served under the direction of four Tribal Councils, including an interim Tribal Council appointed by former Bureau of Indian Affairs Assistant Secretary, Kevin Gover in 1999. My employment ended with the Tribe when the current Tribal Council headed by Chief Audrey Falcon and Sub-Chief Bernard Sprague voted to completely eliminate the Tribe's Legislative Affairs Director position. A few newspaper stories however reported that I was fired. This is not true and is reflected in the January 23, 2004 Minutes of the Tribal Council, Special Session, Minutes, where the Minutes clearly indicate that the current Tribal Council voted to eliminate the Director of Legislative Affairs position as a departmental restructuring move and not for inadequate performance or any other reason as reported in other news publications.

One newspaper printed a correction after incorrectly reporting in a story that I was fired by the Saginaw Chippewa Indian Tribe's current Tribal Council and only was the correction printed until after the reporter re-checked the facts by reading the January 23, 2004 Minutes of the Saginaw Chippewa Tribal Council Special Session.

I have read over the past several months in news publications the attacks on former Tribal Council Members of the Saginaw Chippewa Tribe of Michigan who voted through democratic Tribal Council procedures and with contract review by in-house Tribal legal counsel to hire consultants Capital Campaign Strategies and Greenberg Traurig to assist the Saginaw Chippewa Indian Tribe of Michigan in advocating policy positions of the Tribe at the federal and state levels of government. What is disconcerting about the news stories is the claim, by unidentified congressional staff, that no significant issues were present during the employment period of Capital Campaign Strategies and Greenberg Traurig with the Saginaw Chippewa Tribe of Michigan. This is not the case.

Indian Country has experienced challenges to Tribal self-sufficiency and determination over many decades. Policy proposals that attempt to undermine important Tribal government service areas such as Indian health care, Indian education, and even Indian free enterprise efforts have all surfaced. These threats have from time-to-time specifically affected Tribal nations, including the Saginaw Chippewa Indian Tribe of Michigan. A Tribal nation's ability to express the will of its Members to federal, state, and local governments and participate in our American democracy requires both public officials and the general public to respect and have trust in the capabilities of Tribal

leaders. Calling into question the intellectual capabilities of Tribal leaders to make policy and hiring decisions only insults Indian country and assumes Native Americans are incapable of running their own governments. This surely is not what Tribal nations want or expect from public officials and the general public.

Unfortunately, democratically elected Tribal-legislators and the Tribal Member voters who elect them are facing a more personal threat to their self-sufficiency and determination throughout Indian Country. And that is an attack on their intellectual capabilities to make informed decisions about what their Tribal government needs are and who they may hire to advocate their Tribe's policy positions at the federal and state levels of government. Tribal Members who are elected democratically to their Tribal legislatures understand the needs of their governments much better than non-Native Americans who typically are unfamiliar with the culture, federal, state, and local policy issues directly affecting a particular Tribe, and especially when it comes to understanding the intra-Tribal family dynamics that often serve as the compass for finding a Tribal nation's direction. Determining what is in the best interest of a Tribal nation should be left to a Tribal nation to decide. The United States, for example, does not establish policy for its citizens based on the desires of what other countries feel the United States should offer its citizens. While outside factors can clearly change the course of direction for a government, its path is chosen by the people through their elected representatives.

Tribal government leaders like their counterparts in federal and state government are fully capable of making informed decisions and calculating the cost/benefits of those decisions. The decision of a Tribal government to hire a company to advocate its policy positions and protect its economic well-being is the choice of that Tribal government and not that of Tribal employee staff or outside observers. To subjectively challenge the decision of a Tribal government to spend an amount agreed to by the Tribe and its vendor on services to be provided really challenges two things: First, it challenges the intelligence of the elected Tribal legislators and thus their voters and second, it challenges the notion of a free-market system where individuals can enter into the market with a good or service and sell the goods or services at a price that they and the consumer agree to.

The Saginaw Chippewa Indian Tribe of Michigan made a decision to hire Capital Campaign Strategies and Greenberg Traurig at an amount agreed to by both companies and the Tribe. The decision to hire both firms was conducted by a democratic vote of the Tribal Council. The Tribe's in-house legal counsel negotiated the contracts. Opinions over whether or not the amount paid by the Tribe to Capital Campaign Strategies and Greenberg Traurig was too high is subjective and appears over the last few months to be used in politicizing Native Americans and their intellectual capabilities. While some unidentified congressional staff, as reported in newspapers, may have felt that no significant federal issues existed that affected Indian Country during the time Capital Campaign Strategies and Greenberg Traurig were hired by the Saginaw Chippewa Indian Tribe, this clearly was not the position held by the Tribal Council at that time.

In addition, the recently rendered federal labor decisions affecting Tribal government labor practices for example show that there actually were significant federal issues pending that affected Indian Country. Not to mention for example that Indian health care funding and education funding were and have been for some time significant policy issues for Indian Country.

Tribal governments have come a long way in establishing strong and positive government-to-government relations with the United States. Now more than ever, many Tribal nations are hiring the best firms, protecting their self-sufficiency and determination, and expressing the will of their Members to Congress and state legislatures. The Saginaw Chippewa Indian Tribe is one of those Tribal governments. Challenging a Tribal government's capability while at the same time politicizing the cost of a mutually agreed upon contract for services between a Tribe and a vendor, sends a dangerous message to Indian Country. Does the Committee intend to review all contracts with sovereign nations, or at least the current contracts with the current Tribal governments? If Native Americans are treated as unintelligent decision-makers and their democratic Tribal Council procedures for approving contracts are considered non-legitimate, Indian Country progress will be set back 150 years.

In closing, I would like to thank the Committee for granting me this opportunity to share these thoughts on lobbying practices in Indian Country.