

**TESTIMONY OF CHIEF FRED CANTU
CHIEF OF THE SAGINAW CHIPPEWA INDIAN TRIBE OF MICHIGAN**

My name is Fred Cantu and I am the Chief of the Saginaw Chippewa Indian Tribe. I want to thank the committee for allowing our Tribe to testify today.

Mr. Chairman, let me start by saying these bills are very controversial - - not just here on Capital Hill – but all across Indian Country. Tribes across the country are waiting to see if Congress will actually allow two Tribes to get casinos on lands 350 miles from their reservations to settle a land claim that has never been validated by a single court or the federal government. In fact, the Bay Mills Indian Community’s claim was rejected by both state and federal courts, and has also been rejected by the United States Department of Interior.

These land claims have never been independently verified by anyone -- and these bills raise more questions than they provide solutions. These claims would lower the standard for the establishment of a legitimate land claim and would invite other tribes to seek land claim settlements for casinos without any independent verification of the validity of such claims. In fact it could be argued that the long history and ill treatment received by tribes across the country could support similar claims that are at least as compelling as those raised in these bills.

If Congress passes these bills, you will have Tribes across the country lined-up before Congress seeking casinos for land claims that have

never been proven valid. We have not found one instance in which Congress has granted a Tribe a casino and a gaming compact for settling a land claim, much less the type of an unsubstantiated and questionable claims presented here.

These bills would establish a dangerous precedent and must be rejected by Congress for the sake of Indian gaming. What separates Indian gaming from private gaming is that Tribes are restricted to gaming on Indian Lands - not wherever they feel it is most profitable. If Congress begins authorizing Tribes to establish reservations 350 miles from their existing reservations and designates those lands for gaming, it will completely undermine the whole premise of Indian gaming. And that is why Mr. Chairman, no other Tribe supports these bills.

Our Tribe is also deeply concerned that these proposed casinos are to be located in the ancestral lands of the Saginaw Chippewa Tribe. Neither the Bay Mills Tribe nor the Sault Tribe has any ancestral connection or claim to these lands and the Indian Claims Commission has ruled on this on two separate occasions.

We also believe these bills undermine the Michigan Gaming Compact which specifically requires that no Tribe conduct off-reservation gaming without a revenue agreement from the other Tribes in Michigan. Very simply -- this is a blatant attempt by these two Tribes to evade their obligations under the Compact, which was specifically reviewed and approved by the Michigan State Legislature.

Furthermore, this legislation would have Congress ratify a Tribal/State

compact for the first time in history – which undermines the intent of IGRA and circumvents the authority of the Michigan Legislature.

During the February 6, 2008, hearing in the House Natural Resources Committee, one Member of Congress remarked that these bills were solely about settling a land claim and had nothing to do with gaming. If that is the true goal, we believe the validity of this claim should be proven. To that end, we respectfully recommend that this Committee remove the gaming provisions from this legislation and have the appropriate federal agencies, determine whether these land claims are legitimate. If they find these claims are legitimate we would ask that they make a determination as to the value of the claim and the appropriate compensation for those claims. This would ensure that these land claims have merit and would ensure the Tribes are properly compensated if these claims exist.

But there are many questions that need to be examined. According to the former Sault Tribe Chairman, this whole land claim was a scam from the start. According to the Sault Tribe, the Charlotte Beach claim was conceived by a Detroit area attorney who developed it specifically as a vehicle to obtain a casino – not to settle a land claim. We would ask this committee to investigate the detailed charges made by the Sault Tribe in their testimony before the Senate Committee on Indian Affairs in 2002.

Mr. Chairman, IGRA was meant to promote economic development on Indian reservations – not to reward Tribes who scheme with non-Indian developers.

While these bills may be good for two Tribes and their non-Indian developers, it is simply bad policy for Indian Country. We would hope the Committee does the right thing and rejects these bills.

Thank you.