

BAD RIVER BAND OF LAKE SUPERIOR TRIBE OF CHIPPEWA INDIANS

CHIEF BLACKBIRD CENTER

P.O. Box 39 • Odanah, Wisconsin 54861

February 1, 2013

Senator Thomas Tiffany
Room 409 South
State Capitol
P.O. Box 7882
Madison, WI 53707-7882

Boozhoo Senator Tiffany,

Your December 11, 2012, letter purports to be a request to exchange information and views between parties concerned by laws relating to the regulation of iron mining. As a Native Sovereign Nation, the Bad River Band of the Lake Superior Tribe of the Chippewa enjoys the right to engage in government-to-government consultation on matters of law and policy that affect its interests. Government-to-government consultation involves acknowledgment that indigenous communities may reject development that threatens the health and welfare of its citizens. Your letter communicates nothing more than for my community to, once again, be told of an industrial corporation's plan, with no opportunity for the community to reject the project. We have yet to receive any communication from the Committee on Workforce Development, Forestry, Mining, and Revenue requesting input from the Bad River Band on its own development plans.

Up to this point, the Wisconsin legislature has failed to engage in government-to-government consultation in order to promote an industrial project benefitting one out-of-state company. Additionally, Bad River tribal members and other Native Americans have been singled out for abusive treatment during the legislative process. Examples of this abuse include:

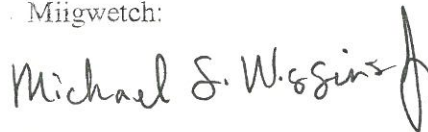
- One industrial corporation has written legislation that weakens protections for wetlands, navigable waters, and groundwater in the State of Wisconsin, aimed at promoting one project. This project would pollute the air and water of a Native American community, with financial benefits accruing to wealthier, non-tribal communities;
- Government officials who are in favor of the bill, including yourself, have received thousands of dollars in campaign contributions from special interests that favor AB1/SB1, with more than \$15 million in total (we note that you have received more than \$70,000 in campaign contributions from those who seek to weaken protections for water in the entire State of Wisconsin);
- Many of these same government officials have visited with the wealthier, non-tribal communities in the north, while making no effort to visit affected Native American communities;

- Systematically excluding the voices of my community by publically announcing the one hearing on this important legislation at the last minute, while informing pro-mining groups about the date for the hearing in advance; scheduling these hearings at long distances from the affected area; and at the hearings, prioritizing individuals speaking for the legislation, not calling names from my community and other Native Americans until late in the day, and closing hearings before allowing all citizens to speak;

- We further note that the 2012 version of the bill was resoundingly rejected by the public last year, but no significant changes were made as a result of the robust public input that your colleagues received. (At the three public hearings on AB 426, there were 936 individuals against the bill, with only 224 in favor of the bill. We are unaware of the breakdown of the registrations and appearances from the hearing on AB1/SB1.)

Legislation — which would have such a tremendous effect on the natural resources of the state, and certainly upon the safety and wellbeing of citizens belonging to Native American communities, without engaging in government-to-government consultations with Bad River and other Native Sovereign Nations, and without allowing for the participation of potentially affected Native American individuals — does not deserve a vote.

Miigwetch:



Mike Wiggins, Jr.
Chairman

cc: Senator Darling
Senator Grothman
Senator Jauch
Senator Lehman
Representative Knodl
Representative Larson
Representative Sanfelippo
Representative Kapenga
Representative Kuglitsch
Representative Petryk
Representative Petersen
Representative Stone
Representative Jacque
Representative Clark
Representative Bernard Schaber
Representative Zamarripa
Representative Hintz
Representative Hulsey
Representative Ohnstad
Representative Bewley