

# Tribe repeals union ban

By Mark Ranzenberger  
Sun Online Editor

MOUNT PLEASANT, Mich. — The Saginaw Chippewa Tribe has repealed the law that essentially outlawed unions among Tribal employees.

"The Tribal Council took this step because it found that it was in the best interests of the Tribe to withdraw its ordinance to accommodate other important interests and relationships," according to a statement issued by the Tribal Council. "It also makes no sense to engage in expensive litigation over the ordinance when our employees have shown no interest in a union."

The Tribe agreed to repeal its labor law after Teamsters Local 486, which has been attempting to organize employees of the Soaring Eagle Casino & Resort, filed an unfair labor practice charge against the Tribe. The Teamsters charged that the Tribal law itself was an unfair labor practice.

A hearing had been set for earlier this month on the charge, but the Tribe and the Teamsters settled before the National Labor Relations Board could issue a ruling.

"We got 99 percent of what we wanted," said Ed Morin, Local 486 business agent.

The Tribe has continued to argue in legal briefs that the NLRB has no jurisdiction over the Tribe, but has allowed an NLRB-run election to take place at the casino, and settled this charge.

"The Tribe continues to disagree with the position of the National Labor Relations Board that tribal casinos fall within the jurisdiction of the NLRB," the Tribal Council's statement said. "The repeal of the Tribe's ordinance does not change the Tribe's position in that regard."

"It is the Tribe's continued position that as sovereign governments," the statement said, "Indian tribes are not covered by the National Labor Relations Act."

Late last year, the Teamsters union lost a representation vote among housekeepers after a campaign by the employer. A second representation election, organized by a security union, was withdrawn after the union obtained the names and addresses of all the members of the potential bargaining unit.

Under federal labor law, an employer must turn over the names and addresses of all the members of a proposed bargaining unit to a union before an election. That allows the union to ensure that people who are supposed to vote in the representation election can vote, and people who aren't supposed to vote don't vote.

At the time, Tribal general counsel Sean Reed said if the security election had actually gone forward, the union likely would have lost that, too. Union leaders later admitted they had signed cards from just 35 percent of the members of the bargaining unit, and called the election primarily to get the names of the other members.

Both Teamsters and security union leaders say they won't give up.

The United Auto Workers successfully organized workers at the Tribal-owned Foxwoods Resort in Mashantucket, Conn., owned by the Mashantucket Pequot Tribal Nation. Morin said the Soaring Eagle is the first on-reservation, Native-owned casino the Teamsters has attempted to organize.

The Teamsters represent commercial casino workers in Las Vegas and Mississippi, and are part of the coalition of unions representing workers at the three commercial casinos in Detroit.

# Alcohol, drugs deadly among Seminole youth

*Alcohol-involved crashes, drug overdoses, suicide claim alarming number of young Seminoles*

By Mike Clary and John Maines  
South Florida Sun-Sentinel

MIAMI — For young members of the Seminole Tribe, this should be the best of times.

With annual revenues from casinos and other businesses that have topped \$1.4 billion, the tribe provides each of its 3,300 members with an income of about \$120,000 a year, a free education and a guaranteed job. And many college-educated Seminoles are coming home to work in the tribe's Hollywood headquarters.

Despite these positive developments, young Seminoles die at an alarming rate from drug overdoses, alcohol-involved car crashes and suicide.

Of 17 Seminole deaths recorded so far in 2008, 11 — or about 65 percent — have been linked to drug or alcohol abuse, according to figures obtained by the Sun Sentinel.

"I call it the 'Rez disease,'" said former Florida Atlantic University football star Jarrid Smith, 23. At least seven of his friends and former classmates are dead, in jail or in rehabilitation facilities, Smith said.

"And I'm not sure the tribe is doing enough to address the problem," he added.

Most of those who have died this year never reached their 40th birthday. Among the fatalities were the 27-year-old daughter of Tribal Councilman David Cypress, killed in an April car crash, and James Girtman, 22, a boyfriend friend of Smith's, who died of a gunshot suicide in January in Okeechobee.

Smith, the grandson of a former Seminole leader, was

so shaken by Girtman's death that he wrote a brief essay, published in the tribe's newspaper, The Seminole Tribune, in which he said the deaths amounted to a community failure.

Under the headline "Here Yesterday, Gone Today," Smith wrote, "We allow them to destroy themselves." A review of records from the state's Bureau of Vital Statistics shows it is unusual for a Seminole to survive into his 70s or 80s. The average age of a Seminole at death has dropped from 59.7 in 1997 to 48.5 in 2007, an analysis of state records shows.

The average age at death for all Floridians is 73, according to state statistics.

Death at an early age, and alcohol and drug abuse, have long plagued Native American communities. Last month the federal Centers for Disease Control and Prevention reported that almost 12 percent of the deaths among American Indians and Alaska Natives are alcohol-related, a rate more than three times the percentage in the general population.

## 'You grow numb to it'

Some Seminoles say they grow up expecting loved ones will die too soon. At 24, Zena Simmons has lost a brother and an uncle to alcohol-involved vehicle crashes, and at least two friends to suicide and drugs. "You grow numb to it, so when someone dies you already accept it," said Simmons, who is less than a year away from an FAU psychology degree.

A recent spike in accidental deaths among tribal members, along with a troubling school



Associated Press

At 23, Jarrid Smith looks like the future of the prosperous Seminole Tribe.

dropout rate and an eroding work ethic, is linked to growing prosperity, many Seminoles believe.

But even among a tribe known to value privacy, alarm over the death rate has spurred Smith and others to speak out.

Seminole Recreation Director Moses Jumper, a poet who often serves as master of ceremonies at tribal events, said he recently has presided at an unprecedented number of funerals for young people.

"I do eulogies all the time," he said. "More and more. Because I've known them. It's tough."

In agreeing to speak about his concerns, Smith said he was aware that he could draw fire from tribal members uncomfortable with public airing of internal affairs.

"By speaking, I am hoping for that shock reaction," said Smith, who last month was named Outstanding Seminole Athlete of 2007 by the Seminole Sports Hall of Fame. "These things have been going on for too long. Progress is slow. I am afraid of losing more people."

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# Records: Palin Accepted \$25,000 in gifts

Washington Post Staff Writers

WASHINGTON — Alaska Gov. Sarah Palin, who has made a crack-down on gift-giving to state officials a centerpiece of her ethics reform agenda, has accepted gifts valued at \$25,367 from industry executives, municipalities and a cultural center whose board includes officials from some of the largest mining interests in the state, a review of state records shows.

The 41 gifts Palin accepted during her 20 months as governor include honorific tributes, expensive artwork and free travel for a family member. They also include more than \$2,500 in personal items from Calista, a large Alaska native corporation with a variety of pending state regulatory and budgetary issues, and a gold-nugget pin valued at \$1,200 from the city of Nome, which lobbies on municipal, local and capital budget matters, documents show.

About a quarter of the entities bestowing gifts on the governor are represented by one of Alaska's most influential mining lobbyists, who said in an interview that she was not involved in the tributes. The lobbyist, Wendy Chamberlain, has a relationship with the governor's family through the friendship of their daughters.

On forms disclosing the gifts, Palin, who is the Republican vice presidential nominee, routinely checked "no" when asked whether she was in a position to "take official action that may affect the person who gave me the gift," and a spokeswoman for Sen. John McCain's presidential campaign said the gifts had no undue influence on her.

In response to e-mailed questions, Meghan Stapleton, who is based in Alaska for the McCain-Palin campaign, wrote: "Throughout her career Governor Palin has stood for the highest standards of ethics. She spearheaded new ethics reforms in Alaska and took on her own party and entrenched interests to return Alaska's government to its people."

Records show that 23 of the gifts were offered during Palin's early months in office, when she was pushing the legislature to address a state corruption scandal by passing a package of ethics reforms. She accepted 18 gifts after the law passed in July 2007. Among other provisions, the law forbade executive branch officials from taking gifts from lobbyists or from interests with pending state business.

Gift rules for elected officials vary among states, with some such as Wisconsin banning all gifts and others with no applicable rules other than anti-bribery statutes. When former Arkansas governor Mike Huckabee (R) ran for president this year, he faced questions about his acceptance of more than \$150,000 in gifts during a decade in office.

The Alaska attorney general's office contends that gifts to a governor must be evaluated on "a case-by-case basis," Assistant Attorney General Judy Bockman said. Some are offered as "a courtesy," she said, to newly elected officials and are not considered an ethical issue.

Palin has noted that passage of the tough ethics law was a proud accomplishment. She took office amid a widespread federal investigation of influence-peddling by Veco, a now-defunct oil pipeline services and construction company, that had led to indictments of prominent state legislators and eventually to charges against Ted Stevens, the state's senior Republican senator, who is now on trial.

Palin forwarded her ethics proposals to the legislature in January 2007, her first month in office. That month, she accepted three gifts from Calista's chief executive, Matthew Nicolai: a \$2,200 ivory puffin mask, a woven grass fan worth \$300 and a \$150 ivory necklace. Nicolai, who did not return phone calls, runs the large corporation, which profits from a multibillion-dollar gold-mining operation on its land.

Palin, who holds significant sway over budgetary issues affecting cities, also accepted for "personal use" the

gold-nugget pin from Nome. Mayor Denise Michels said the memento was meant to remind the governor that "Nome is a historic mining community." Palin approved about \$6 million in funding this year for a public safety building in the city. "Anything our state can do to help us in capital projects, we're very grateful," Michels said.

Palin has also reported as gifts two fact-finding trips that mining companies sponsored for her husband, Todd. The trips were among several sponsored by mining companies for state officials.

Todd Palin accepted an \$805 charter flight from Barrick Gold and a \$200 flight from Red Dog Mines. Both companies are clients of Chamberlain, a top lobbyist with Legislative Consultants, which led the state in lobbying income last year.

Red Dog is the sole taxpayer to the Northwest Arctic Borough, an Alaskan jurisdiction represented by Chamberlain that received \$10.9 million from the zinc mine in 2007. The borough gave Palin a whale baleen basket valued at \$300.

Chamberlain, the ex-wife of an influential former state lawmaker, said in an interview that she was unaware of her clients giving gifts to the Palins.

Under the new ethics laws, Palin may not accept lobbyist gifts unless the lobbyist is a family member. The governor explains in detail in her disclosure how she reimbursed Chamberlain for a summer trip made by Palin's 14-year-old daughter, Willow. Willow is friends with Chamberlain's teenage daughter, Mackenzie. Chamberlain said Willow accompanied her and her daughter in the summer of 2007 to a basketball camp and then to Mexico.

"This is not a gift," reads a handwritten note on Palin's disclosure form. "It is merely interaction with a parent who is registered as a lobbyist with the state of Alaska."

Chamberlain said she kept trip receipts to ensure that the Palins could reimburse her. The lobbyist said she

has been careful around Palin in government settings.

"Because our kids are together quite a bit, people made the assumption we are good buddies, but we aren't," she said. "I was a bit nervous of her, and I guess she was a bit nervous of me."

It was an unspoken rule that lobbyists should not directly approach Palin, Chamberlain said. The lobbyist said she had access to the governor's key staff members and she set up meetings for her clients. "I didn't have business conversations with her, because she didn't see lobbyists," Chamberlain said. "She preferred to see clients without lobbyists present."

Chamberlain also represents the Pebble Partnership, which has proposed a massive gold mine on Bristol Bay that has encountered opposition from conservationists. Palin has come under fire for speaking out against a statewide initiative, Proposition 4, that would have imposed costly environmental regulations on mining operations, particularly the Pebble Mine. A hearing by a state ethics watchdog agency has been scheduled for mid-November to see whether statutes prohibiting partisan activity apply to the governor's statements on the initiative.

Mining interests did not play a major fundraising role in Palin's gubernatorial campaign, but post-election donations to her inaugural committee came from four mining companies, including Northern Dynasty, the Pebble Mine co-developer. The money was spent on inaugural balls and on travel by the governor and her family for events.

Palin also reported receiving \$1,000 in gifts -- an Aleut woven basket, a sea otter headband, a Tlingit rattle and an Athabascan chief necklace -- at an inaugural reception thrown by the Alaska Native Heritage Center.

Executives of several of Chamberlain's clients serve on the center's board and many were in attendance when the gifts were presented to the governor.

# Beating and shooting of Native Americans could be hate crime

PHOENIX — A valley neighborhood near 48th Avenue and Thunderbird is put on high alert after four people are attacked.

Police are now investigating whether the victims were specifically targeted because of their race.

The victims are all Native

American men.

The suspect is said to possibly have ties to a hate group.

Allie Bianchi and her kids were jolted out of bed by the sounds of police right outside their window early Sunday morning.

"We saw a sniper on our roof and then we were escorted

out," says Bianchi.

It turns out one of her neighbors had allegedly been shot by 21-year-old Jason Carl Merk. Two other victims were beaten.

Police are now investigating whether this was a possible hate crime.

The victims told police they

were walking home from a nearby store when the suspect and his friends who were wearing "white pride t-shirts" began to harass them.

The men told them they were "taking back the neighborhood."

A scuffle ensued and at some point, police say Merk

allegedly opened fire, striking the victim in the leg.

T "The people who own the houses should better screen renters to keep the neighborhood safe!" says Bianchi.

It will be up to the County Attorney to determine if Jason Merk will be charged with a hate crime.