United Tribes of Michigan

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Frank Ettawageshik, Executive Director

November 6, 2026 Via Email

The Honorable John Thune
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Charles E. Schumer
Democratic Leader
U.S. Senate
Washington, DC 20510

The Honorable Mike Johnson
Speaker
U.S. House of Representatives
Washington, DC 20510

The Honorable Hakeem S. Jeffries
Democratic Leader
U.S. House of Representatives
Washington, DC 20515

Dear Majority Leader Thune, Minority Leader Schumer, Speaker Johnson, and Minority Leader Jeffries:

On behalf of the United Tribes of Michigan, I write to express our strong opposition to the Bipartisan American Affordability and Jobs Act (BAAJA). As sovereign governments with treaty relationships with the United States, we recognize the importance of responsible economic development, efficient permitting, and affordable energy. However, these objectives must not come at the expense of Tribal sovereignty, federally protected treaty rights, meaningful government-to-government consultation, or the preservation of sacred places, ancestral homelands, and irreplaceable cultural resources.

United Tribes of Michigan adopted resolution #098 on October 16, 2026, at our most recent meeting hosted by The Grand Traverse Band of Ottawa and Chippewa Indians. A copy of our resolution is attached to this letter. We urge Congress not to advance BAAJA. Legislation proposing such sweeping changes to longstanding federal protections for Tribal Nations should not proceed without meaningful government-to-government consultation with the sovereign Tribal Nations whose rights, responsibilities, and cultural resources would be directly affected. The failure to consult Tribal Nations

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during the development of these provisions represents a fundamental disregard for the unique political and legal relationship between Tribal Nations and the United States.

If Congress nevertheless chooses to advance BAAJA, we unequivocally request that Division B, Title III be struck in its entirety. The proposed revisions to the National Historic Preservation Act (NHPA) would significantly weaken protections for Tribal sacred places and cultural resources, diminish Tribal Nations' roles in federal decision-making, and undermine longstanding federal trust and treaty obligations.

Michigan's Tribal Nations have maintained relationships with our ancestral homelands, waters, and sacred places since time immemorial. Our treaty rights and cultural responsibilities extend across lands and waters far beyond present-day reservation boundaries. Federal policies that diminish protections for these places threaten not only our cultural heritage, but also our inherent sovereignty, treaty-protected rights, and responsibilities to future generations.

The sweeping changes proposed in Title III are not justified by the available evidence concerning Section 106 implementation. Only a small percentage of projects experience lengthy Section 106 reviews, while insufficient staffing, funding, and federal agency capacity remain significant contributors to delays. Rather than addressing these challenges, Title III would weaken protections, impose additional burdens on Tribal governments, and increase the risk of irreversible harm to culturally significant places.

A responsible approach to permitting reform must begin with meaningful government-to-government consultation and should focus on strengthening federal agency capacity, improving coordination, providing adequate resources to THPOs, and ensuring early Tribal engagement in project planning.

The United Tribes of Michigan stand united in our commitment to protecting Tribal sovereignty, treaty rights, ancestral homelands, sacred places, and the federal government's longstanding trust and treaty obligations. We therefore urge Congress not to advance the Bipartisan American Affordability and Jobs Act until meaningful government-to-government consultation has occurred and Tribal Nations' concerns have been fully considered and addressed. If Congress nevertheless proceeds with BAAJA, we unequivocally request that Division B, Title III be struck in its entirety.

Respectfully,



Frank Ettawageshik, UTM Executive Director