

To the membership of the Northeast Comanche Tribe,

Some of you (current ICS members only) recently received an email message from the ICS President Kate Boroughs presenting her view of recent activities of your elected Northeast Tribe officers. We would like to rebut her on several points.

First, a little background information. In 1992 the ICS decided to remove any threat of financial injury by divesting itself of the various US Tribes. This was done so that any lawsuits resulting from Tribe activities, such as fly-ins or Conventions, could not also involve the entire ICS. Each US Tribe was encouraged, and in fact assisted in declaring themselves as completely independent companies, incorporated under Kansas law. All seven US Tribes did so at the time. The Tribe was incorporated in Kansas on September 9, 1992. You may view the [Articles of Incorporation](#) of the Northeast Comanche Tribe, Inc, on our Tribe website.

Next, the current ICS Bylaws in Article 1, Section 3, as amended in 2016, specifically define the conduct and ethics of its members. I quote them below:

Section 3: Conduct and Ethics. ICS members.

- A. Are encouraged to participate in ICS activities and committees.
- B. Should encourage both ICS and non-ICS members to associate with ICS.
- C. Shall refuse to knowingly provide or pass on false information.
- D. Shall give thoughtful consideration to the comments of other members.
- E. Shall conduct themselves with proper decorum as emissaries of ICS.

Bearing the above in mind, in particular Section 3, item C, we wish to respond to Kate Boroughs' email in three areas.

Tribe Bylaws

The Northeast Comanche Tribe, Inc does not have, nor has it ever had, Bylaws as voted by the membership.

- The "1992 Bylaws" predate our incorporation date (Sept 9, 1992). Bylaws cannot be adopted for an organization that does not yet exist. They also identify a different organization than the Articles of incorporation.
- The "1998 Bylaws" were found among old Tribe papers and have no validity. (no date, no signature page, no record of adoption). They also name a different organization.
- All interviewed former Tribe officials, from 1992 to present, have no memory of Bylaw adoption by the Northeast tribe.

Tribe elections

- The Northeast Tribe election of 2018, contested by Av Shiloh and subsequently suspended, was finally completed on September 28th of 2019. Three positions were uncontested. CJ Stumpf was elected Tribe Chief/Representative with 91% of the votes, defeating Av Shiloh.
- In February of 2019 Av Shiloh conducted an unauthorized election, fully supported by the ICS. The results were reported, but to this day are unverified after numerous requests.
- The recent Northeast Tribe election, completed in January of 2020, reaffirmed the incumbent Tribe officers, all of whom were unopposed. The results were reported and verified through an exhaustive process.

Michigan Court case

In the weeks before Sun n' Fun of 2019 Av Shiloh arranged for a NE Tribe election with the assistance of the ICS. Dave Fitzgerald, as ICS Nomination Chair, solicited candidates for the various offices. Only "current, active" ICS members were allowed to submit names. If allowed, these names were added to Shiloh's pre-determined slate.

Kate Boroughs, as ICS President, then sent an email announcement that voting was open on the ICS website. Only current ICS members could log in and vote. The entire process took approximately four weeks.

In June of 2018 the members at the Parlin fly-in voted to reject the offer by Kate Boroughs to hold an election on the ICS website for the NE Tribe. They also voted to proceed with an election by mail-in ballots. In February of 2019 the Northeast Comanche Tribe officers met in a phone conference and decided to contest that election as being unapproved and against the direction of the members.

A suit was immediately filed in the Circuit Court of Grand Traverse County, Michigan, mailing address for the ICS and Village Press, calling for an injunction of this ICS-supported election. The case was not reviewed until nearly the last day of the voting period and the injunction was deemed moot – you can't stop an election that has already been completed. The ICS considered the action dropped, but the underlying argument had not been addressed – namely, can the ICS, a separate company, have authority to dictate the internal activities of another company, the Northeast Tribe?

The Northeast Tribe officers decided to continue the suit to get a ruling on this underlying argument. We were met with a barrage of discovery requests involving hundreds of pages of Tribe documents and emails, often with very short time frames in which to comply. All concerned did their best, but some deadlines could not be met, causing the ICS attorney to file a Motion of Contemp. This was nullified when the required documents were produced. The ICS also requested that the Tribe Treasurer turn over all funds to the ICS. The Judge so ordered, and we had to comply. (apparently under Michigan law the Judge did not have the authority to do this. It is under appeal)

In the end the Michigan Court dismissed the case entirely, meaning that no decision was made and that no charges were handed down. Hence the question of ICS control over the Northeast Comanche Tribe and its members is still unresolved. Kate Boroughs has stated, in emails, at ICS Board meetings and in print (August '19 *Comanche Flyer*), that she (paraphrased) "cannot determine who the true officers of the NE Tribe are until the Michigan Court case is concluded." She and Av Shiloh have both stated that "the Tribes can do whatever they want" with internal Tribe matters. And yet the ICS Board, along with Kate Boroughs, has openly recognized the results of Shiloh's election as held with ICS backing, and has seated Av Shiloh on the ICS Board of Directors as the NE Tribe Representative.

This, for Ms Boroughs (in her own vernacular) is a sticky wicket. The ICS cannot have it both ways – recognizing the complete independence of the various Tribes while forcing acceptance of controlling actions by the ICS on internal affairs like Tribe elections or membership requirements.

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Northeast Comanche Tribe Secretary/Scribe