

**STATEMENT OF HON. MARIA CANTWELL,  
U.S. SENATOR FROM WASHINGTON**

Senator CANTWELL. Thank you, Mr. Chairman, and thank you for having this hearing today on draft legislation on law enforcement in Indian Country, and also for scheduling an executive session on several pieces of legislation.

While we are still waiting for the Vice Chairman, if I could, I would like to address one of those pieces of legislation on the executive session, and that is Senate Bill 2494. I thank you for putting that consideration of the Spokane Tribe of Indians, the Spokane Reservation Grand Coulee Dam Equitable Compensation Act on the executive session schedule. For more than half a century, the Columbia Basin Project has had an extraordinary contribution to our Nation.

It really has helped pull the economy of Washington State and the Country out of our Great Depression. It provided electricity that provided aluminum for airplanes, for weapons of our national security. The project continues to provide enormous revenues for the United States. It was a key component of agriculture in our eastern Washington economy, and provides electricity to towns and cities all across the Northwest.

However, these benefits did come at a direct cost to tribal property that became inundated when the U.S. Government built the Grand Coulee Dam. Before dam construction, the free-flowing Columbia River supported very robust and plentiful salmon runs and provided virtually all the subsistence needs of the Spokane Tribe. After the construction, the Columbia and the Spokane River tributaries flooded the tribal communities, schools and roads. To this day, the effects of the flooding are still being felt by the Spokane Tribe.

This legislation we are considering today is similar to legislation we have approved from this Committee in the 108th and 109th Congress. Similar legislation has passed both the House and the Senate at various points in time. Some changes have been made to satisfy stakeholders who have expressed concerns. But the Spokane Tribe has spent the last year making sure that we could move forward on the settlement agreement. I want to thank the Chair and the Tribe for working so closely on this.

The United States does have a trust responsibility to maintain and protect the integrity of all tribal lands within its borders. When Federal actions physically and economically impact or harm tribes, our Nation has a legal and moral responsibility to address the compensation and damages. Unfortunately, despite these countless efforts, half a century has passed without giving the Spokane the real justice they deserve.

So I thank you for putting this legislation on executive session so we can move forward on this important piece of compensation. I thank the Chair.

The CHAIRMAN. Senator Cantwell, thank you very much.

I would say to Senator Thune and Senator Johnson, I am going to withhold further statements. We were making statements on the purpose of the hearing today, but I want to now turn to the business portion of the day and conduct the business portion, then we will return to the hearing.

[Whereupon, the Committee returned to the business meeting.]

The CHAIRMAN. Let me continue by calling on the other members of the Committee, let me clarify again to say that the Bureau of Indian Affairs report will be placed in the hearing record, not a part of the business meeting. It was my intention that it be part of the hearing record on law enforcement, and the entire report will be a part of that hearing record as of today.\*

The CHAIRMAN. Let me call on the Vice Chair for an opening statement on the law enforcement portion of this hearing today. Then I am going to call on Senator Johnson, if he has an opening statement. I believe the first witness today will be Senator Thune.

If Senator Murkowski will withhold for just a moment, let me ask the panel to come forward and take seats while we are preparing to complete our opening statements. Chairman Ron His Horse Is Thunder, Standing Rock Sioux Tribe; Joe Garcia, President, National Congress of American Indians; the Honorable Gretchen Shappert, U.S. Attorney, Western District of North Carolina; Patrick Ragsdale, Director of the Office of Justice Services, U.S. Department of the Interior; Professor Kelly Stoner, Director of Native American Legal Resource Center and Clinical Programs, Oklahoma City University School of Law; and Walt Lamar, President and CEO of Lamar Associates, Washington, D.C.

Let me thank all of the witnesses. When we complete our statements, we will then proceed.

Senator Murkowski, thank you. I am sorry for the delay.

**STATEMENT OF HON. LISA MURKOWSKI,  
U.S. SENATOR FROM ALASKA**

Senator MURKOWSKI. Thank you. Mr. Chairman, I truly appreciate your efforts on this very important issue, for holding the hearing this morning on the discussion draft bill, the Tribal Justice Improvements Act of 2008, and a discussion draft that outlines a variety of tools that we may improve Indian justice systems.

I want to welcome all of the witnesses here this morning. I thank you for the time that you are giving to the Committee, not only with your appearance this morning but your time in reviewing the draft. I know several of you have traveled distances to come here, and we appreciate that.

We have held five hearings during the 110th Congress here in this Committee to really shine the light on the issues that impact crime and punishment throughout Indian Country. We have attempted in Congress to address many of these issues before, as you all know. Back in 1990, Congress passed the Indian Law Enforcement Reform Act to significantly reform the Indian Justice system. This Act was intended to clarify law enforcement authority and responsibilities, declination, reporting requirements and to provide for a level of Federal accountability.

But I am disturbed, some 18 years later, that Indian tribal governments are still struggling to maintain law and order in their communities. They face spiraling violent crime rates with fewer resources, limited sentencing authority and insufficient detention facilities. In fact, from the information the Committee has received

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\*The information referred to is printed in the Appendix.