

**Statement of Introduction by Alonzo Coby, Chairman of the Fort Hall Business Council
for the Shoshone-Bannock Tribes**

**Hearing to Consider the Nomination of Larry EchoHawk to be Assistant Secretary of
Indian Affairs**

Senate Committee on Indian Affairs

May 7, 2009

Good afternoon Chairman Dorgan, Vice-Chairman Barrasso, Senator Crapo, and other Members of the Committee. My name is Alonzo Coby and I serve as Chairman of the Fort Hall Business Council, which is the governing body of the Shoshone-Bannock Tribes located on the Fort Hall Indian Reservation in southeast Idaho. I am honored to be here today to introduce and express support for the nomination of Larry EchoHawk as the next Assistant Secretary of Indian Affairs.

The Shoshone-Bannock Tribes are a federally recognized Indian tribe organized under Sections 16 and 17 of the Indian Reorganization Act of 1934. The Shoshone and Bannock people are comprised of several related bands whose aboriginal territories include land in what are now the states of Idaho, Wyoming, Utah, Nevada, Colorado, Oregon, and parts of Montana and California. In 1867, President Andrew Johnson by Executive Order designated the Fort Hall Indian Reservation for various Shoshone and Bannock bands that occupied the area since time immemorial. On July 3, 1868, the Shoshone and Bannock Tribes concluded the Second Treaty of Fort Bridger, which was ratified by the United States Senate on February 24, 1869. Article 4 of the Fort Bridger treaty reserved the Reservation as a “permanent home” to the signatory tribes. Although the Fort Bridger Treaty called for the Reservation to be approximately 1.8 million

acres, various “surveying errors” in 1873 reduced its actual size to approximately 1.2 million acres.

One of the United States’ purposes in setting aside the Fort Hall Indian Reservation was to protect the Tribes’ rights and to preserve for them a home where their tribal relations might be enjoyed under shelter of authority of the United States. Subsequent cession agreements with the United States reduced the Fort Hall Indian Reservation to the present day size of 544,000 acres. Of the 544,000 acres, 97% of the land is Tribal land or held by the United States for the benefit of the Tribes or its individual members. The Tribes’ territory is the largest Reservation in Idaho and forms a large cohesive geographic area that supports a population of over 6000 people and provides an irreplaceable homeland for economic activity and cultural practices based on strong religious traditions premised on the sacredness of land. Our current Tribal enrollment is approximately 5,300 members.

The Fort Hall Reservation is blessed with an extensive biodiversity including rangelands, croplands, forests, streams, three major rivers (the Snake, Blackfoot, and Portneuf), reservoirs, springs, and wetland areas, an abundance of medicinal and edible plants, wildlife (elk, deer, moos, bison, big horn sheep, etc.), various species of fish, birds, and other animal life. The Reservation lands are mountainous and semi-desert, and overlays the Snake River aquifer, a large groundwater resource. The culture and continued existence of the Shoshone and Bannock peoples depend on these resources.

As you know, the United States government and its agencies have an important trust relationship with Indian tribes. The Shoshone-Bannock Tribes look to the federal government to fulfill this trust responsibility in areas of environmental protection, law enforcement, health, education, trust reform, land management, protection of treaty rights, and other important areas.

The issues of concern I have mentioned are among many that are common to Indian Country. Larry EchoHawk is uniquely qualified to address them as the next Assistant Secretary of Indian Affairs. The Shoshone-Bannock Tribes fully support Larry EchoHawk and have full confidence in his strong commitment to Tribal sovereignty and Indian interests. I note that other Idaho tribes have also voiced their support for Mr. EchoHawk's nomination.

Mr. EchoHawk began representing the Shoshone-Bannock Tribes in 1977 and served for nearly nine years as the Tribes' chief general legal counsel. At that time, he was one of the first Native American lawyers entrusted with the responsibility as the primary attorney for a large Indian tribe. He provided diligent and faithful service during these years. During his time as Tribal Attorney, he also served two terms in the Idaho legislature and worked hand-in-hand with Tribal leaders in Idaho to advance tribal interests. It was during his time in the legislature that positive laws respecting tribal sovereignty were passed for the first time in Idaho history, and Mr. EchoHawk played a significant role in their passage. These laws include the State-Tribal Relations Act, the Tribal tobacco sales tax exemption, the Indian Antiquities and Burial Site Protection Act, and the amendment to the State Joint Powers Act to authorize state agencies to enter into agreements with Tribal governments, to name a few. Much of this was brought about due to Mr. EchoHawk's efforts to help create a State Indian Affairs Committee.

He ended his position as the Tribes' general legal counsel in 1986 on good terms with the Tribes to become the prosecuting attorney for Bannock County, Idaho's fourth largest county that borders the Fort Hall Reservation. While he served as prosecutor, he demonstrated a continual respect for tribal sovereignty and jurisdiction by deferring cases to the Tribes that could have been prosecuted under Public 280. In 1990 he was elected as Idaho's Attorney General, and became the first Native American in United States history to be elected to a state-

wide constitutional political office. As Attorney General, he supported legislation and efforts to protect native religious freedoms, salmon treaty fishing rights, and other legal matters impacting tribal sovereignty. While Attorney General, Mr. EchoHawk also lead efforts to improve state-tribal relations through the Conference of Western Attorneys General. Although he served as the State's attorney, the door was always open Idaho tribes.

The EchoHawk law firm has provided nearly ten years of legal services to the Shoshone-Bannock Tribes and continues to provide excellent legal services. While we recognize that Mr. EchoHawk's prior service as the Tribes' legal counsel and work with the EchoHawk law firm may require his recusal from working on issues directly relating to the Shoshone-Bannock Tribes, we are confident that Mr. EchoHawk's service as Assistant Secretary will be beneficial to all of Indian Country.

In sum, we are proud to support Larry EchoHawk's nomination as the next Assistant Secretary of Indian Affairs. We are confident that he will do an outstanding job in continuing his efforts to advance Tribal sovereignty and economic self-sufficiency. Thank you for this opportunity to introduce Mr. EchoHawk and express our support for his nomination.