

THOMAS DASCHLE  
SOUTH DAKOTA

COMMITTEES:  
AGRICULTURE  
FINANCE  
RULES AND ADMINISTRATION  
(202) 224-2321  
TOLL FREE 1-800-424-9094  
<http://daschle.senate.gov>

**United States Senate**  
WASHINGTON, DC 20510-4103

320 SOUTH FIRST STREET, SUITE 101  
ABERDEEN, SD 57402  
(605) 225-8823

1313 WEST MAIN STREET  
RAPID CITY, SD 57702  
(605) 348-7551

320 NORTH MAIN AVENUE, SUITE B  
SIOUX FALLS, SD 57101  
(605) 334-9596  
TDD (605) 334-4632

**Testimony of Senator Tom Daschle**  
**Senate Committee on Indian Affairs Legislative Hearing on**  
**S.1530, Lower Brule Sioux and Crow Creek Sioux Tribal Parity Act of 2003**  
**June 15, 2004**

Good morning, Mr. Chairman. I want to thank you, Senator Johnson, for chairing today's hearing and for cosponsoring S. 1530 with me. I also want to thank Chairman Mike Jandreau of the Lower Brule Sioux Tribe and Chairman Duane Big Eagle of the Crow Creek Sioux Tribe for making the trip to Washington to testify about the importance of the Lower Brule Sioux and Crow Creek Sioux Tribal Parity Act of 2003.

S. 1530 is intended to provide additional and final compensation to the Lower Brule Sioux and Crow Creek Sioux Tribes for losses from the Pick-Sloan Missouri River Basin Program, commonly known as the "Flood Control Act of 1944."

The Pick-Sloan Program inundated the fertile bottom land of the Lower Brule and Crow Creek Sioux Tribes, which greatly damaged the economy and cultural resources of the Tribe. While the U.S. Government offered compensation when the land was flooded, all agreed that compensation was inadequate. I am proud that my work with this Committee and Congress provided additional compensation to several South Dakota Indian tribes, including Lower Brule and Crow Creek, that border the Missouri River. Chairman Jandreau and Chairman Big Eagle can attest to how this compensation has led to an improved quality of life for their people.

The compensation provided various tribes, however, has not been consistent in terms of the methodology used to calculate it. The Committee will hear testimony from Mike Lawson, author of *Dammed Indians* and a recognized expert on these matters, regarding that compensation. He has conducted extensive analysis of the GAO-approved methodology used by Congress to determine the compensation for the Three Affiliated Tribes, Cheyenne River, and Standing Rock, and determined that Lower Brule and Crow Creek are entitled to additional compensation from the United States of \$137 million and \$73 million, respectively.

That determination is the rationale behind S. 1530. Because so many tribes have been compensated at different rates, the quest for equitable payments has been a circuitous one. Understandably, many have been confused by the process. Congress has turned to the General Accounting Office for guidance on these matters. It is my understanding that the GAO-approved methodology supports additional compensation for both Lower Brule and Crow Creek. I am hopeful the testimony presented today will help clarify this situation and pave the way for just and final compensation to the tribes flooded by the dams along the Missouri River.

Mr. Chairman, these tribes are entitled to a final parity payment based upon this GAO-methodology used. I look forward to moving ahead with this legislation for the benefit of the people of Lower Brule and Crow Creek.