

STATEMENT
OF
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BEFORE THE
COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE
JUNE 15, 2004

Mr. Chairman, Members of the Committee, thank you very much for the opportunity to testify on the Tribal Parity Act, S. 1530. I am Michael Jandreau, the Chairman of the Lower Brule Sioux Tribe. I have been Chairman of the Tribe for twenty-five years.

The legislation before you this morning is of great importance to our tribe and our people. I would like to thank Senator Daschle for the introduction of the legislation, and Senator Johnson for cosponsoring. I am joined today by members of our Council, other tribal members, and our Counsel, Marshall Matz with the law firm of Olsson, Frank and Weeda.

The Lower Brule Sioux Tribe is a constituent band of the Great Sioux Nation and a signatory of the Fort Laramie Treaty of 1851 and the Fort Sully Treaty of 1865. The reservation is approximately 230,000 acres in central South Dakota. The Missouri River

establishes the eastern boundary of the reservation. Historically, the Missouri's bottomlands provided food, wood for shelter and fuel, forage for cattle and wildlife, and plants utilized for medical purposes. In 1804, Lewis and Clark traveled up the Missouri River, passing through our area during the month of September. Nothing has been the same since that time.

In 1944, Congress enacted the Flood Control Act, which authorized implementation of the Missouri River Basin Pick-Sloan Plan for water development in the Missouri River Basin. Two of its main-stem dams, Fort Randall and Big Ben, flooded over 22,000 acres ---approximately 10% of the entire reservation and our best bottomland. In addition, it required the resettlement of nearly 70% of the resident population. For the Lower Brule Sioux Tribe, the human and economic costs have far outweighed any benefits from the Pick-Sloan project.

The Congress, under the leadership of this Committee, and in response to legislation introduced by Senator Daschle, responded in 1997 with the Lower Brule Sioux Tribe Infrastructure Development Trust Fund Act, Public Law 105-132. This legislation has been of enormous benefit to our people. It established a Trust Fund of \$39,300,000 for the benefit of the tribe. With this Fund, we have begun to revitalize our infrastructure. We built a new community center, tribal administration building, and wildlife building, among others. They are more than just buildings. It is allowing us to improve our economy and the quality of life on the reservation in many ways.

Legislation is now pending, S. 1530, the Tribal Parity Act, that would build upon the earlier law. As you have heard from Dr. Mike Lawson, the Tribal Parity Act is intended to do just that.....provide parity between the Missouri River Tribes. We are not seeking any advantage over any other tribe in the Great Sioux Nation, only equity and parity. The additional compensation called for in the Tribal Parity Act was computed by Dr. Lawson based on methodology used by the GAO for other tribes.

Our tribe is asking for this legislation because the United States should treat all tribes fairly and because of what it would mean for our people. It would, if enacted, add over \$147 million to our trust fund. With the interest on the trust fund, we could attack the many human challenges we face on the reservation. Further, we could more adequately build our infrastructure to the point that it would be possible to attract a private sector economy.

As you know, sovereignty is key to tribal existence. But, in the long run, for sovereignty to survive, there must be economic sovereignty as well. We must develop a private sector economy. The legislation before you will allow us to do all of that. We will improve education, health care, housing, transportation, the justice system, and so many other services.

As much as we need this legislation, let me stress that we are not asking for a hand out or charity. This legislation is intended to provide more complete compensation for the loss of our best land and other costs suffered by the Tribe. The Army Corps of Engineers has

estimated that the Pick-Sloan project's overall contribution to the national economy averages \$1.27 billion per year. S. 1530 should be seen in that context.

The Lower Brule Sioux Tribe is making great progress. Our unemployment rate is the lowest of any reservation in South Dakota, but it is still much above the national average. Our goal is to participate fully in the United States economy while maintaining our heritage and identity. We urge your support for S. 1530, the Tribal Parity Act. I would be pleased to answer any questions. Thank you very much.