

**Statement of Chairman Ben Nighthorse Campbell
At the October 1st Business Meeting to Consider:**

H.R. 1805, the Auburn Indian Restoration Act Amendment
S.1870, the Indian Gaming Regulatory Improvement Act, and
S.2097, the Indian Tribal Conflict Resolution, Tort Claims and Risk Management Act

This meeting is called to order. Before we begin, I would like to make a few comments about two of the bills we will consider today.

The first, a substitute to S. 2097, directs the Interior Secretary to gather information on Indian tribes' insurance coverage. The Assistant Secretary for Indian Affairs has informed my staff he is supportive of the concept and is confident that the task can be completed by June, 1999.

The subject of tribal liability coverage was part of a series of hearings the Committee held this year on sovereign immunity. During the hearings, the Committee heard varying views. Some claimed that tribes use their sovereign immunity to avoid lawsuits, even when they are at fault. Some testified that even when tribes waive their immunity, the limit on compensation is too low. Other said there is no problem at all.

I believe if someone is harmed by a tribal government's action, they should be compensated. Liability insurance accomplishes this goal without stripping tribes of their immunity, as some have proposed. But we first need information. How much coverage already exists? How big are the gaps? Then we, the Committee and the Congress, can decide the best way to address any shortcomings that may exist. This bill will get us this information.

The second bill, a substitute to S. 1870, would amend the Indian Gaming Regulatory Act (IGRA) and in the process preserve the integrity of the industry. These matters have been the subject of at least 4 hearings over the last 2 years.

Since Indian nations began opening gaming facilities, many tribes have found modest success and a handful have become quite wealthy. Because of an amendment I proposed last year, the NIGC can now assess up to \$8 million in fees annually. The bill before us maintains that level. It is NOT an additional increase. When assessing fees, the amendment requires the Commission to reduce tribal fees based on the cost of any self-regulating a tribe already conducts.

Lastly, the bill will require the tribes and the NIGC to set a minimum level of standards for operating Indian gaming facilities.

This bill attempts to preserve the integrity of Indian gaming. Anyone who watches Senate proceedings has heard plenty of incorrect rhetoric about "unregulated Indian gaming." If that sentiment were shared by the public, it would be bad for business. It is in the interest of Indian gaming for people to know the facilities are run fairly.

**Statement of Chairman Ben Nighthorse Campbell
At the October 1st Hearing on**

S.2010, the Native American Business Development, Trade Promotion and Tourism Development
Act

Now we will turn to S.2010, the Native American Business Development, Trade Promotion and Tourism Development Act.

This Committee deals with the unique and often times troubling aspects of life in Indian America such as poor health, substandard housing, and a lack of education facilities. I believe there is no greater priority in Indian country than the re-development of a private sector to boost Indian economies.

After 200 years of federal dominance of most aspects of Indian life, we are beginning to see tribes rebuilding their economies with tools such as gaming revenues and the self governance model. For the vast majority of tribes, however, life remains mired in poverty. I am hopeful that S.2010 will chip away at the regulatory and bureaucratic impediments that restrain Indian entrepreneurs. It will also create an “Office of Native American Business Development” within the Commerce Department to **coordinate existing resources** now dedicated to Indian economic development. The tribes have had great success in the employment training arena, with a program known as the “477 model”. It is that success we hope to achieve with this bill.

The bill directs the Office to focus its energies on the emerging international market for Indian made goods, and on developing a vibrant Indian tourism industry on local and regional levels. Let me say that today is the beginning of looking at Indian business development as we enter the next century.