

**UNITED STATES SENATE
COMMITTEE ON INDIAN AFFAIRS**

**Room 485 Russell Senate Office Building
Tuesday, March 21, 2000**

Testimony of Charles F. Wilkinson

My name is Charles F. Wilkinson, Distinguished University Professor and Moses Lasky Professor of Law at the University of Colorado. My research and teaching over the past 25 years have focused on natural resources issues in the American West, primarily in the areas of federal public land law, Indian law, water law, and administrative law. In addition to my articles, most of which have involved Indian issues and the federal public lands, my eleven books include *Federal Public Land and Resources Law* (3d edition) (with Coggins and Leshy); *Cases and Materials on Federal Indian Law* (4th edition) (with Getches and Williams); and *Crossing the Next Meridian: Land, Water, and the Future of the West*. Since January 1998, I have served as the facilitator in the negotiations between the Timbisha Shoshone Tribe and the Department of the Interior that led to the introduction of S. 2102 and this hearing.

I would like to extend my lasting respect and admiration to the negotiating teams from the Department of the Interior and the Timbisha Shoshone Tribe who have made this bill possible. They faced a daunting task because their work took place against a backdrop of grievances, some going back many generations, some very recent. Yet they proceeded with open and creative minds. They gave this effort their top priority and made many personal sacrifices to meet a grueling schedule.

One critical factor was that each person in the two negotiating teams held two basic convictions: to bring justice to the Timbisha Shoshone Tribe and to protect a fragile and wondrous natural resource, Death Valley National Park. The result is this proposed legislation, which achieves both of those objectives.

This effort represents the highest ideals of modern federal Indian policy. The historic trust relationship was fully honored. The Tribe's sovereignty was fully recognized. These were true government-to-government negotiations. Importantly, these ideals have also been fulfilled by this Committee, which has worked closely with the negotiating teams and has so promptly scheduled this hearing.

Thank you for the opportunity to present this testimony.