



**TESTIMONY IN SUPPORT OF
H.R. 992
TO PROVIDE GRANTS TO LOCAL GOVERNMENTS TO ASSIST SUCH LOCAL
GOVERNMENTS IN PARTICIPATING IN CERTAIN DECISIONS RELATED TO
CERTAIN INDIAN GROUPS AND INDIAN TRIBES.**

HOUSE COMMITTEE ON RESOURCES

HON. ROB SIMMONS (CT-2ND DISTRICT)

SEPTEMBER 25, 2002

Mr. Chairman and members of the Committee,

Thank you for allowing me to testify in support of reforming the federal Indian recognition process. And I would like to thank the dean of the Connecticut delegation, Nancy Johnson, for being such a leader on the issue. She has worked tirelessly on this issue and I appreciate her bringing this issue to the forefront.

Mr. Chairman, my home state of Connecticut has been and continues to be affected by our federal Indian recognition process. We are home to three federally recognized tribes. About ten more groups are petitioning for federal status. Once federally acknowledged, tribes in Connecticut can negotiate gaming compacts with the state and open casinos.

Connecticut has seen both the benefits and the adverse effects of tribal recognition. One benefit is that Indian gaming has produced jobs at a time when defense contracting and manufacturing have been on the decline. Casinos purchase goods and services, and pay upwards of \$300 million a year into the state budget. Tribal members have also been personally generous with their new wealth, and support numerous community projects and charities.

But there are also negative impacts. In Connecticut, recognition means the right to operate a casino and that places pressure on local municipalities who have no right to tax, zone or plan for these facilities. Small rural roads are overburdened with traffic, and volunteer fire and ambulance services are overwhelmed with emergency calls.

No region has been more impacted by tribal recognition decisions than eastern Connecticut, and no town has fought harder to preserve the rights on municipalities than the town of North Stonington, Connecticut, where my friend, Nick Mullane, serves

as First Selectman [or Mayor]. For more than a decade Nick and I have been working on the issues of tribal recognition and taking "land into trust" because of the burdens they place on Nick and the people he serves.

North Stonington, and towns like Ledyard and Preston, has spent several years in the courts struggling against the expansion of Mashantucket Pequot trust lands. As well, they are engaged in the lonely and expensive process of challenging the flawed BIA decision in June that merged two bands of Eastern Pequots – the Paucatuck Eastern Pequots and the Eastern Pequots – as one tribe. This struggle has had profound political, economic, social and environmental impacts on these towns.

Even more troublesome is the "land into trust" issue associated with recognition. The very real fear and uncertainty of reservation expansion has both delayed and increased municipal planning, caused property values to fall, increased the tax burden for uncompensated services and created friction within the local communities. What was once a relatively predictable situation in eastern Connecticut is now very unpredictable because of a failed federal recognition process and fear of taking "land into trust." Add this to road construction, infrastructure needs, police, and fire and emergency services and you can see the profound affect federal tribal recognition decisions have on small towns and municipalities.

This is why leaders like Nick Mullane, Connecticut's State Attorney General Richard Blumenthal, Bob Congdon, Wes Johnson and others have dedicated so much time to the federal recognition issue – they want to bring clarity and certainty back into the process.

On this basis, Mr. Chairman, I respectfully request that you insert into the committee record materials provided by First Selectman Mullane. I believe you will find this information compelling.

I fully support Congresswoman Johnson's legislation to provide \$8 million in grants to local governments to assist in participating in decisions related to certain Indian groups and Indian tribes. In fact, I have introduced a broader tribal recognition reform bill that includes Mrs. Johnson legislative language. And my bill goes one step further – it makes these grants retroactive so that any local government that has spent money on decisions related to certain Indian groups and/or tribes can be eligible for the program.

Federal recognition policies are turning the "Constitution State" into the "casino state," and we are concerned about it. We want more control over the process. We want to close the loopholes. We want relief to what can be a very expensive battle on a very uneven playing field. This bill does that and I urge this committee to join Nancy Johnson and me in support of H.R. 992.

I thank the committee for an opportunity to testify and I will be happy to take any questions you may have.