

STATEMENT OF REPRESENTATIVE  
JOHN T. DOOLITTLE  
ON H.R. 1805  
THE AUBURN INDIAN RESTORATION  
AMENDMENT ACT OF 1997

Hearing before  
The Senate Committee on Indian Affairs

September 24, 1998

Mr. Chairman and members of the committee, I appreciate the opportunity to appear before you today to discuss a very serious situation which has transpired in my district and what I consider to be the only way in which Congress can help remedy it: the Auburn Indian Restoration Amendment Act of 1997.

By way of background, in 1953, Congress passed House Concurrent Resolution 108 that called for the termination of federal responsibilities towards tribes. A series of termination statutes followed, including the Indian Rancherias

Act which was signed into law in 1958, removing federal trust responsibilities from several small Indian tribes in California.

One of the tribes that had its federal recognition removed as a result of this legislation was the Auburn Indian Rancheria Tribe which resides in my district in Placer County. Unfortunately, the removal of the Auburn Indian Rancheria's federal recognition and the selling off of its reservation resulted in plight and poverty for the Tribe and its individual members.

Because of how adversely the Indian Rancherias Act affected the Tribe, I joined with Representative George Miller four years ago in co-sponsoring the Auburn Indian Restoration Act with the sole intent of restoring federal recognition and economic self-sufficiency back to the Auburn Tribe.

Mr. Chairman, it is important to note that, at the time, there was no local opposition from local government or the Placer County community to restoring federal recognition to the Auburn Tribe, primarily because of a commitment made by the Tribe that it would not use its federally recognized status to pursue gaming as a form of economic development. In fact, the Tribe's firm commitment helped forge a strong coalition of support for the Auburn Indian Restoration Act which included the County of Placer, the City of Auburn and both the Placer County Sheriff and Auburn Chief of Police.

Unfortunately, however, shortly after the Auburn Indian Restoration Act was passed by Congress and signed into law by the president, the Tribe announced plans to establish a Class III gaming facility in Penryn, a small "bedroom community" in Placer County.

The Tribe's plans were consequently met with heavy opposition and outrage, especially because land on which the Tribe wanted to establish a gaming facility was in close proximity to homes, churches and schools. The unfortunate result of the Tribe's actions was the complete severing of the strong ties that many had worked so hard to establish between the Tribe, local government and the community.

Mr. Chairman, I believe it is in our best interest to help repair the broken relationship that exists between the Auburn Indian Rancheria Tribe and its neighbors. It is still my desire to help the Auburn Tribe use its federally recognized status to acquire land for a reservation and to assist in its efforts to become economically self-sufficient. It is also my desire, however, that these goals be accomplished with the trust and cooperation of the local community. If trust cannot be re-established, I am afraid that the Tribe may never achieve its long-held objectives.

It is for these reasons that I introduced H.R. 1805, the Auburn Indian Restoration Amendment Act. My legislation amends the original Auburn Indian Restoration Act of 1994 to help provide the framework needed to re-establish a productive dialogue between the Auburn Indian Rancheria, the local community, and local governments. The provisions included in my legislation revolve around the establishment of a simple yet critical element of cooperation - a compact between the Tribe and local government. The provisions which surround this compact were developed in good faith and cooperation between local government, representatives of the community and the Tribe.

Mr. Chairman, H.R. 1805 represents a cooperative resolution to a conflict that has divided a community. It amends the original Act to provide a means for the Tribe to establish a reservation and achieve economic self-sufficiency, while assuring my constituents that such efforts will not be taken without the cooperation and support of local government and the surrounding community.

Because H.R. 1805 is seen as the only solution to the Auburn Indian Rancheria Tribe's impoverished situation, it was unanimously approved by the House of Representatives last year and is supported by local government, the Tribe and several community organizations - many of which opposed the Tribe's original attempt to establish reservation land.

Mr. Chairman, I understand that, despite that fact that H.R. 1805 has had virtually no opposition to this point, some concerns are now being raised by several tribes as well as by the Administration. It is my understanding that their objections are based on concerns that this bill could be used in the future to circumvent the sovereign rights of other tribes, especially as they relate to gaming on trust land. Let me assure you, Mr. Chairman, and the members of this committee in no uncertain terms that, while I oppose gaming, it is neither my intention nor my desire to use this legislation as a model for other tribes. Instead, it is an effort to amend a specific bill so that a specific tribe may re-establish a productive working relationship with its neighbors.

Mr. Chairman, I end today with one final thought. In the past, this committee has made great efforts to protect the ability of every tribe to seek and achieve self-determination. In that vein, I hope that you can appreciate the fact that the Auburn Indian Rancheria's support of H.R. 1805 is an important component of precisely what this committee has so strenuously defended.

Mr. Chairman, I thank you for holding this hearing today and would be happy to answer any questions that you or any member of the Committee may have about H.R. 1805.