

FOR IMMEDIATE RELEASE
Monday, May 24, 2010

CONTACT: [Jill Strait](#) or [Spencer Pederson](#)
202-226-2311

Hastings Statement Before the Rules Committee on Cobell Amendment

WASHINGTON D.C. – House Natural Resources Committee Ranking Member Doc Hastings (WA-04) delivered the following statement (as prepared for delivery) before the Rules Committee regarding his amendment to improve the *Cobell v. Salazar* settlement agreement:

“My amendment will improve the Cobell Settlement authorized in section 607 of H.R. 4213, for the benefit of the individual Indians affected by the proposed settlement. The amendment addresses a number of concerns expressed by Indians and will help ensure that they receive the most from this settlement.

Just last week, the Affiliated Tribes of Northwest Indians adopted a resolution requesting five amendments to the Settlement as proposed in a “Dear Tribal Leader” letter by the Vice Chairman of the Senate Indian Affairs Committee, John Barrasso of Wyoming. My amendment makes these five improvements. I would note that the Affiliated Tribes of Northwest Indians represents more than 50 federally recognized tribes in Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska.

A key improvement my amendment makes is to cap attorney fees at \$50 million, and utilize the savings to increase payments to Indian damages claimants. For reasons neither the Administration nor the Plaintiffs attorneys have divulged, both parties agreed that attorneys may be paid in excess of \$100 million. This is a high figure by any standard – it represents up to one-third of the claims the attorneys litigated.

Every dollar paid to attorneys is a dollar that comes out of the pocket of individual Indians. We have an obligation to ensure that individual Indians, not lawyers, receive the most money possible.

It should also be noted that the \$50 million cap on fees is not arbitrary. It reflects an amount the Plaintiff attorneys indicated they can live with under their signed agreement with the government.

My amendment makes other needed improvements to the proposed settlement.

- It adjusts the formula for compensating those with damages claims to prevent an inequity that would result from the current formula. These increased payments are paid for by the cap on attorney fees.

- It limits incentive award payments to the Named Plaintiffs to actual, unreimbursed out-of-pocket expenses incurred by them. Currently, the Settlement sets no limit on such awards. Once again, this amendment ensures that greatest amount of the settlement goes to the individual Indians.
- My amendment also ensures that the bank where the settlement funds to be deposited is secure, safe, and independent of the Plaintiffs.
- Finally, my amendment requires the Department of the Interior to engage in tribal consultation and offer contracting opportunities to the tribes as it administers the \$2 billion land consolidation program, which will dramatically affect the tribal land base out West.

I believe my amendment is not only needed, but should be considered non-controversial as it simply seeks to provide for the greatest return for individual Indians. It also addressed the concerns and questions identified by many individual Indians and Tribal leaders.”

Background

Earlier today, Hastings introduced an amendment to fix and improve the proposed *Cobell v. Salazar* settlement agreement included in the Democrats’ tax extender package (H.R. 4213). [Click here for more information on the amendment.](#)

#

<http://republicans.resourcescommittee.house.gov>

[Facebook](#) | [YouTube](#) | [Twitter](#)