

Statement of Chairman John McCain
Senate Committee on Indian Affairs
Hearing on Indian Tribes and the Federal Election Campaign Act
February 8, 2006

I hope the Senate will soon adopt lobbying reforms that will help to dispel the public's sense of something rotten on Capitol Hill.

Cleaning up our act here in Congress, however, is only part of what needs to be done. There are two sides to the perception that Congress can be bought – the receiver and the giver – and we should examine both. Federal law has long recognized that restrictions on contributions are appropriate to remove the reality and the perception of undue influence. While the majority of the 562 federally recognized tribes make no political contributions, or contributions that amount to no more than a few thousand dollars a year, there are a number of tribes that contribute significant aggregate amounts to federal candidates, parties, and committees. Before 2002, much of this money came in the form of unregulated “soft money”, but the Bipartisan Campaign Reform Act of 2002 ended this for tribes and others. Still, hard money contributions from wealthy gaming tribes in recent elections have drawn attention. Certainly, when the Indian Gaming Regulatory Act was enacted in 1988, nobody anticipated that any tribe would make enough profit that it could donate hundreds of thousands of dollars to political campaigns.

Although I believe that tribes, most of which remain desperately poor despite gaming operations, can apply tribal funds, including gaming revenues, to better and more important uses than political contributions, I understand that there is a widespread fear in Indian Country of losing a seat at the political table. Tribes fear that just as they are beginning to more fully participate in the political process through campaign contributions, opposing interests have proposed reforms that could effectively exclude them. I understand these concerns, but feel it is appropriate to examine how and why tribes, which truly are unique entities, are treated the way they are under the Federal Election Campaign Act, and whether the law should be changed.

Over the years I have been blessed with the support and friendship of many people from Indian Country, and I am committed to ensuring that they are treated justly and fairly by this nation. Indian tribes are part of the constitutional fabric of this country and are uniquely impacted by congressional actions. They must be actively involved in the political processes that affect them. It is the form of participation, however, with which we concern ourselves at this hearing.

In the interest of protecting not just Indian tribes, but the perception of the integrity of our democracy, I intend to ask some hard questions today and in the days ahead. I thank the witnesses for appearing here today and look forward to their testimony.