

NOMINATION OF DAVID W. ANDERSON

HEARING

BEFORE THE

COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE

ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION

ON

CONFIRMATION HEARING OF THE NOMINATION OF DAVID W.
ANDERSON TO BE ASSISTANT SECRETARY FOR INDIAN AFFAIRS

OCTOBER 22, 2003
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**NOMINATION OF DAVID W. ANDERSON TO BE
ASSISTANT SECRETARY, INDIAN AFFAIRS**

WEDNESDAY, OCTOBER 22, 2003

U.S. SENATE,
COMMITTEE ON INDIAN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10 a.m. in room 106, Senate Dirksen Building, Hon. Ben Nighthorse Campbell (chairman of the committee) presiding.

Present: Senators Campbell, Thomas, Smith, Murkowski, Inouye, Johnson, and Dorgan.

STATEMENT OF HON. BEN NIGHTHORSE CAMPBELL, U.S. SENATOR FROM COLORADO, CHAIRMAN, COMMITTEE ON INDIAN AFFAIRS

The CHAIRMAN. Welcome to the Committee on Indian Affairs hearing on the President's nomination of David Anderson to be Assistant Secretary for Indian Affairs.

Before proceeding, we have a brief video to show to the committee, and if somebody could go ahead and roll that, we will watch it first.

[Video presentation.]

The CHAIRMAN. Thank you for that clip. That is a very impressive and inspiring film, Mr. Anderson, and perhaps even a more important statement about what can be done if you take charge of your own life, and also the responsibility of trying to help other people, and I certainly commend you for that.

On Monday the members received the committee memorandum, so the committee is well aware of your background and many accomplishments. The job for which you have been nominated is one of the most important and probably the most difficult job in the Federal Government, at least in my view. But I believe the President has made the right decision and chosen wisely in nominating you.

In addition to the usual problems in running a nationwide bureaucracy aimed at alleviating a lot of suffering in Indian country, there are additional challenges like the *Cobell v. Norton Trust Fund* lawsuit, substance abuse problems in Indian communities, which you are well aware of, and the ever-present need to assist tribes with the challenges they face.

I think I am on solid ground when I say that I do believe you are the first nominee to head up the BIA to be a publicly traded

on the NASDAQ, and I think your experience will serve you well in the years to come.

And with that I will refrain from asking if you brought any barbecue samples today, by the way.

I would like to turn to my colleague, Senator Inouye, for his statement now.

STATEMENT OF HON. DANIEL K. INOUE, U.S. SENATOR FROM HAWAII, VICE CHAIRMAN, COMMITTEE ON INDIAN AFFAIRS

Senator INOUE. Mr. Chairman, I am pleased to join you today in welcoming the President's nominee, Dave Anderson, to serve as Assistant Secretary for Indian Affairs in the U.S. Department of the Interior. I look forward to hearing from Mr. Anderson as to his vision for the important position he has been nominated to hold, and I wish him all of the luck and good fortune.

Thank you, sir.

The CHAIRMAN. Thank you.

Senator Thomas, did you have a statement?

STATEMENT OF HON. CRAIG THOMAS, U.S. SENATOR FROM WYOMING

Senator THOMAS. Thank you, Mr. Chairman. I am just glad to be here. I am glad you are having this hearing. This certainly is an important position. I have met with Mr. Anderson yesterday. We need to fill this vacancy that has been there, certainly, and there are other things that need to be done. I am pleased to have someone with this sort of background in this job. I think there are some new ideas that need to be instituted in what we are doing here, and I think we have an opportunity to do that. So I look forward to hearing from the witnesses. Thank you.

The CHAIRMAN. Senator Smith, are you ready?

STATEMENT OF HON. GORDON SMITH, U.S. SENATOR FROM OREGON

Senator SMITH. Thank you, Mr. Chairman. Just as with Senator Thomas, I had the privilege of meeting the nominee, Mr. Anderson, yesterday and found him personally engaging, story-inspiring, and commend the President for picking a man who both personally and professionally can serve as a fabulous role model to our Native American brothers and sisters. So I am happy to be here in support of this nominee.

The CHAIRMAN. Thank you.

Senator Johnson, did you have an opening statement?

Senator JOHNSON. Yes; Thank you, Mr. Chairman.

STATEMENT OF HON. TIM JOHNSON, U.S. SENATOR FROM SOUTH DAKOTA

Senator JOHNSON. Mr. Anderson and Chairman Taylor, President Bennett, welcome to the committee. As you probably know, my home State of South Dakota is home to nine Indian reservations. I am proud to represent Lakota, Nakota, and Dakota Nations. My tribal leaders wish to congratulate Mr. Anderson on his nomination and invite him to come to South Dakota Indian country.

The Great Plains tribes hold 27 percent of the individual Indian money accounts over 67,000, more than any other region. In terms of land ownership records, the Great Plains tribes hold 36 percent of all land title documents, 37 percent of land owner interests, and 33 percent of the Nation's trust allotments in tribal tracts. As such, I very much appreciate your critical attention to tribal and individual Indian trust needs.

I am not proud to point out that four of the five poorest counties in all of America are located on South Dakota Indian reservations. Despite years of Federal neglect, my tribal constituents believe in the Federal Government's treaty and trust obligations. They take their relationship with the Federal Government very seriously, and I am hopeful Mr. Anderson, and I know that he will, will do the same.

You have a daunting task ahead of you. I want to work with you so that our tribes and tribal constituents can have hope for the future.

I also want to close by taking this opportunity to thank Aurene Martin for her service as acting assistant secretary. Ms. Martin thoughtfully took on her acting duties with grace and with diligence. I congratulate her on her efforts.

I want to thank my colleague, Senator Coleman, as well, for participating in this hearing today.

And, Mr. Anderson, good luck on your confirmation.

The CHAIRMAN. Thank you.

And before we proceed with Senator Coleman's introduction, Mr. Anderson, I understand your family is with you here today. Would you like to introduce them to the committee, if you would, please?

Mr. ANDERSON. My dad is a Choctaw Indian from Idabel, OK, and my mom is a Lac Courte Oreilles Ojibwa from Hayward, WI.

I have my sister and her husband, Dr. Rick St. Germane, from the Lac Courte Oreilles Tribe; and my wife Kathy and son James, who works with us in the Life Skills Center and his wife; my brother Philip; and my sister's two boys.

The CHAIRMAN. We are very happy that you are here.

Mr. ANDERSON. And also we have our tribal chairman, Louis Taylor, from the Lac Courte Oreilles Tribe, who will be making a statement, and also Al Trepania, a representative of the Great Lakes Inter-Tribal Council.

The CHAIRMAN. Very good. Thank you for being here.

First, Senator Dorgan, we were just going to hear the introduction. Did you have a statement before?

Senator DORGAN. No.

The CHAIRMAN. Okay. We will go ahead and proceed with our colleague, Senator Coleman, from Minnesota, to introduce Mr. Anderson.

STATEMENT OF HON. NORM COLEMAN, U.S. SENATOR FROM MINNESOTA

Senator COLEMAN. Thank you, Mr. Chairman.

Chairman Campbell, Senator Inouye, members of the committee, it is my high honor to introduce a good friend, a great Minnesotan, and a real American hero, David W. Anderson, to the committee this morning.

Mr. Anderson, or Famous Dave, as he is known in our home State, stands before you today as the President's nominee to serve as Assistant Secretary of the Interior for Indian Affairs. I can assure you there is no better man for the job. He is a great business leader, a humble and remarkable public servant, and, finally, a barbecue extraordinaire. And I can tell you this guy knows how to make a pretty mean stack of ribs; there is no question about that.

Mr. Anderson's credentials are beyond compare. As founder and chairman of the successful nationwide restaurant chain Famous Dave's, he knows how to run a big operation and get things done. His business ventures alone have created over 18,000 new jobs. Ernst & Young, NASDAQ, and USA Today have all recognized him as Minnesota's emerging entrepreneur of the year. There is no question, ladies and gentlemen, this guy is good. He is a beacon of hope. Certainly our Native American brothers and sisters need a beacon of hope. America needs a beacon of hope. And that is what Dave Anderson is all about.

Few people understand the issues facing the Native American community better than Mr. Anderson. He himself is a Native American and a proud and active member of the Chippewa and Choctaw Tribes, and the President recently appointed Mr. Anderson to his Board of Advisers on Tribal Colleges and Universities.

You are fortunate to have such a stellar nominee before you today. As far as Federal appointments go, this isn't exactly the easiest job. I think the chairman reflected that in his opening statement. There is no question that the next Assistant Secretary for Indian Affairs has some heavy lifting to do, some hard work ahead. Some might shirk from such a post, but that is not the kind of guy Dave Anderson is. Let me get straight to the point: The Bureau of Indian Affairs [BIA] needs this man.

God blessed Dave with great business success, but also called him to serve others. Mr. Anderson has been true to his faith. He has committed his life to public service and making a difference in the lives of his fellow man. In Minnesota, Mr. Anderson is far more famous for his charitable works than his restaurants. If I were to list all the good deeds he has done, we would be here forever; and that is even in Senate time. But I will mention a few.

Every year he celebrates Thanksgiving and Christmas with Minneapolis and St. Paul's poorest, providing over 400 families with a healthy holiday meal. He supports a number of initiatives at the Minneapolis American Indian Center. One of these, the Golden Eagles program, provides over 300 Minnesota Native American kids with meaningful after-school activities. Mr. Anderson is also a leader at the American Indian Housing Corporation, which helps approximately 200 Native American families a year find a home. And he puts his money where his mouth is. Overall, he has given over \$6 million to Native American causes.

Now you can see why so many, including this Senator, call this man a hero. There is no question that Dave Anderson has been doing the Lord's work. Now it is time to give him a shot at helping Uncle Sam do his.

Members of the committee, thank you for the honor of introducing my friend, David Anderson.

The CHAIRMAN. Thank you, Senator Coleman. And you are certainly welcome to stay throughout the hearing. Or if you have another commitment, we understand, and you certainly can be excused.

I think you are right, I think the BIA needs Mr. Anderson much more than he needs the job, and thank you for that nice introduction.

We will now hear from Louis Taylor, chairman of the Lac Courte Oreilles Tribe from Wisconsin; and from Audrey Bennett, chairwoman of the Prairie Island Community, too; and finally from our nominee, Dave Anderson.

And, by the way, for those who are interested, we are going to convene the business meeting right after the hearing so we can vote on Mr. Anderson's nomination today.

Senator DORGAN. Mr. Chairman.

The CHAIRMAN. Yes.

STATEMENT OF HON. BYRON L. DORGAN, U.S. SENATOR FROM NORTH DAKOTA

Senator DORGAN. Prior to hearing from the first two witnesses, I'd like to make very brief comments, I don't want to interrupt Senator Coleman's presentation; I know he is ready to make it.

You have heard me many times say we have a full-blown crisis in health care, housing, and education on Indian reservations. Not much has changed over the 15 or 20 years that I have been involved in these issues with you and others. I am going to support this nomination. I think Mr. Anderson is an extraordinary individual, and I wish him well and want to work with him.

The CHAIRMAN. Thank you.

Ms. Bennett, why don't you go ahead and proceed?

Oh, excuse me. I think on my list here I had Mr. Taylor first. Go ahead.

STATEMENT OF LOUIS TAYLOR, CHAIRMAN, LAC COURTE OREILLES BAND OF LAKE SUPERIOR CHIPPEWA, HAYWARD, WI

Mr. TAYLOR. Boozhoo, boozhoo. It is good to be here today. I am Louis Taylor, Chairman of the Lac Courte Oreilles Tribe. I would like to introduce a few people that came with me today. Russ Barber, vice chairman of the Lac Courte Oreilles Tribe; Al Trepania. He has already been introduced. I would like him to stand up again. He is president of the Great Lakes Inter-Tribal Council, 11 member tribes from the State of Wisconsin and past chairman.

I will tell you a little bit about our reservation now, if I could.

The Lac Courte Oreilles Tribe is located in Northwestern Wisconsin, near the Town of Hayward in Sawyer County. Our reservation is comprised of approximately 74,000 acres, with the tribal membership at 5,531. Lac Courte Oreilles has the third largest membership of the 11 tribes in Wisconsin.

Some of the services the Lac Courte Oreilles Tribe provides its community include a Head Start program, K-12 school system, community college, road construction and maintenance, fire department, EMT service, social services, emergency shelter, halfway

house, public radio station, medical services, elderly nutrition sites, and youth centers.

Additionally, the tribe owns and operates a cranberry marsh, grocery store, gas station, resort, construction company, casino, and credit union.

Although we have made some great accomplishments in recent years, largely due to a modest gaming establishment, there are still areas of significant need on the reservation. The family per capita income on the reservation in 1999 equaled \$24,600 per year, with the tribe's seasonal adjustment unemployment rate of 20 percent.

Contrary to popular belief, our tribe and many other tribes do not distribute per capita payments to its members, as we are almost always operating with a budget deficit and rely on grant monies in order to provide basic services and jobs for our tribal members. Even with our ongoing challenges, there has been steady growth at Lac Courte Oreilles, and we will continue our efforts for the benefit of our tribal members for generations to come.

The Lac Courte Oreilles Tribal Governing Board is the governing body of the Band and I, as chairman, am pleased that David Anderson has been nominated by President Bush to serve as the U.S. Department of the Interior's Assistant Secretary for Indian Affairs. I am extremely proud that a tribal member of Lac Courte Oreilles has been nominated to serve the tribal governments and the United States in this important position.

I am honored to be here today and would like to thank Chairman Ben Nighthorse Campbell and the U.S. Senate Committee on Indian Affairs for the invitation to speak.

As I grew up on the reservation and followed suit and became chairman, I noticed we put a lot of children through school, and they go out into the world and some never come back. That is good, you know, they sought their own way through life, and that is fine. But Dave is a big success and we are very proud of him, and whenever you call on him, he comes back and is constantly returning favors back to his reservation from which he came, and I am very proud of that. Not very many people do that.

So thank you.

[Prepared statement of Mr. Taylor appears in appendix.]

The CHAIRMAN. Thank you.

Ms. Bennett.

STATEMENT OF AUDREY BENNETT, PRESIDENT, PRAIRIE ISLAND INDIAN COMMUNITY, WELCH, MN

Ms. BENNETT. Good morning, Mr. Chairman and members of the committee. My name is Audrey Bennett. I am president of the Prairie Island Indian Community. We are located in Minnesota, along the banks of the Mississippi River, in the southern part of the State.

It is an honor to be here on behalf of our tribal council and tribal members to speak in support of President Bush's nomination of David Anderson to the position of Assistant Secretary, BIA.

In addition to serving our tribal community as its president, I am the treasurer of the National Indian Gaming Association and the immediate past chairperson of the Minnesota Indian Affairs Council. I have been involved in tribal politics much of my adult life and

know full well the challenges we as native peoples face in this country.

Our cultures are eroding with the passing of time. Land issues threaten our sense of community and many tribes continue to struggle for economic development capable of sustaining their governments. And many of our children are not getting the education they need to succeed in this world, while others are succumbing to today's most sinister social ills.

The BIA, for all its faults, remains a critical source of addressing and helping meet these challenges. As such, the BIA is deserving of leadership that reflects its significance and the magnitude of its challenges at hand. We believe Mr. Anderson can satisfy this role, and we fully support his nomination.

Throughout his life, Mr. Anderson has pursued the American dream for his family and his people. Along the way he has experienced numerous personal and professional setbacks, but they only sharpened his resolve. In this way, his life is quite similar to the struggles and triumphs of Indian people throughout this country. He is a testament to what can be accomplished through hard work and dedication, and he is an inspiration to our young people.

As a Minnesota tribe, we have witnessed many of Mr. Anderson's accomplishments. We have seen firsthand his commitment to improving the lives of Native Americans on and off the reservation. To this day he can be found offering guidance to Native American teens at the Life Skills Center for Leadership in Minneapolis, an organization he founded and helps finance. His work in tribal gaming helped build a foundation on which a number of tribal communities throughout the Country now are beginning to thrive, including the Mille Lacs Band of Ojibwa and the Lac Courte Oreilles Tribes where he is an enrolled member and a formal CEO.

His successes with the Lac Courte Oreilles has heralded by President Reagan's Commission on Indian Reservation Economics. As an entrepreneur, Mr. Anderson has demonstrated a keen insight for business, substantiated by his more than 80 Famous Dave's restaurants, spanning some 20 States. Today, in Minnesota and in many other places, he is virtually a household name.

Mr. Anderson also is no stranger to the public policy. He is a graduate of Harvard University Kennedy School of Government and has served on numerous public service positions, including the Wisconsin Council on Minority Business Development, the National Task Force on Reservation Gaming, the Advisory Council for Tribal Colleges and Universities, and most recently the American Indian Education Foundation.

In a recent editorial, the St. Paul Pioneer Press described Mr. Anderson as a generous man, giving of his time and his fortune to help young native people and a broader community. That same editorial also questioned his thinking for wanting to take what the paper described as one of the most challenging and complicated jobs in Washington. Perhaps it is rare to find someone with Mr. Anderson's blend of real-world experience, education, and desire to do good who is willing to take on what some believe is an impossible assignment.

There is no question that leading the BIA is a formidable task, but it is not insurmountable. It can't be because there is too much

at stake if we allow it to fail. As a Washington outsider, we believe that Mr. Anderson will bring a fresh perspective to numerous issues that have plagued the BIA for decades, and we believe a source of frustration for tribes and numerous administrations alike.

Mr. Anderson is worthy of this opportunity and capable of meeting the enormous challenges before him. We urge you to accept his nomination and confirm him to the position of Assistant Secretary, BIA.

Mr. Chairman, members of the committee, thank you for this opportunity to testify in support of Mr. Anderson's nomination.

[Prepared statement of Ms. Bennett appears in appendix.]

The CHAIRMAN. Thank both of you for appearing.

Now we will hear from the nominee. Dave, if you will come up to the table there. Just go ahead and proceed at your own leisure.

STATEMENT OF DAVID ANDERSON, NOMINEE TO BE ASSISTANT SECRETARY—INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

Mr. ANDERSON. Mr. Chairman, in the tradition of all our native people, we have always been a spiritual group of people, and I would like to begin this with a prayer, so I ask for your indulgence. If we could all stand.

The CHAIRMAN. That is fine.

Mr. ANDERSON. Dear Heavenly Father, we come here before you, creator of all things, and we come here humbly, asking for your presence here, and we ask that today that you give us all wisdom and guidance, and especially I ask for your wisdom and your guidance as I begin this journey. There are many things that we don't have answers for and many things that sometimes we have a tough time making a decision about, but I know that you will be with us and you will be guiding us. And I ask for your protection over our President of the United States. I ask for your guidance for our Senators, our legislators, and also I ask for your loving, protective hand and healing hand to be over all of our Indian tribes and our tribal leaders. As America's first people, we have always been a spiritual people, and today I come to understand the meaning of faith. So as I begin this journey, I ask that you be with me, I ask that you give me guidance, and this truly is a remarkable, wonderful country that we all live in, and we thank you for that in Thy precious name. Amen.

The CHAIRMAN. Thank you. Some of us around here believe if we made more decisions by the good book and fewer by the law book, we would be a better Nation. Why don't you go ahead and proceed?

Mr. ANDERSON. I want to thank the Senate committee for the opportunity to appear here before you this morning regarding your consideration of my nomination by President Bush to be Assistant Secretary for Indian Affairs. I feel both humbled and honored to be considered for this important position.

My father is an enrolled member of the great Choctaw Nation and was born and raised on the red earth of Idabel, OK. My mother is an enrolled tribal member of the Lake Superior Band of Lac Courtes Oreilles Ojibwa located in the beautiful north woods of Hayward, WI. Both of my parents were raised in BIA schools and met at Haskell, which is kind of fortunate for me that they met. And

my dad, being a good old southern boy, when they got married, used to haul my mom down south every weekend until she learned how to cook southern. So I think that is where some of the cooking passion comes from in my family. I was born and raised in Chicago, but I spent my summers on the Lac Courte Oreilles Reservation in northern Wisconsin and later, some of my professional life, working for the tribe.

Throughout my life I have served tribes in the business and commercial development of their resources, and now I look forward to being able to serve at this level. As has been mentioned, most of my life I think I have always wanted to be in business. I have pretty much shied away from tribal politics, but I find myself always having to support something in some way, shape, or form. But some time ago I realized that I had to change if things were going to be different, because not all throughout my life things were like I would have liked them to be, and at some point I came to understand that I needed to accept 100 percent responsibility of changing who I was if my life was going to be different. And I have really come to believe that just being born in this country is winning the biggest lottery that any of us could ever hope to win.

And even though I was an academic underachiever in school, because I was in the bottom one-third half of the class that made the top half possible, today, though, I have come to understand that knowledge is an incredible gift that we all have been given. And I went back and worked hard, and so despite not having an undergraduate degree, today I do have my master's degree from the John F. Kennedy School of Government at Harvard University. And even though, throughout my life, I have had tough times, I have never given up.

I started my own business when I was age 19. By the time I was 21 I had all the Sears accounts and J.C. Penney business in the city of Chicago, as well as every major retail florist, as I was a wholesale florist. And throughout my lifetime I have created over 18,000 new jobs here in America.

My last business, Famous Dave's of America, my barbecue company, was actually started on the boundary of the Lac Courte Oreilles Reservation, so I have been able to prove that it doesn't matter where you are born, it doesn't matter what you have been through. The only thing that matters in this great, incredible country that we live in, if you hold true to your dreams and you follow your dreams, and you never quit, that you can accomplish some incredible things, because today Famous Dave's has restaurants from here in Washington, DC all the way to the Rockies. Our restaurants average between \$2.5 million to \$5 million yearly. We will have a run rate of over \$200 million in annual sales. And we have an additional 100 restaurants signed up, ready to be built.

And so today I appear here before you as a sober person, even though I spent much of my younger years as a drinking person. And I am not embarrassed to admit to these things publicly because I really believe that leaders like myself need to stand up, and we need to be able to say to our communities that we can overcome these debilitating things that are ravishing our people. And even though it was difficult for myself, I am thankful for a family that believed in me. And my parents, when I was younger, every night

before I went to bed, would tell me that, they would say, son, we believe in you, we are proud of you, and no matter what happens we will support you, and throughout whatever happens in your day, we want you to know that your mom and dad are always praying for you. And those are incredible words to be said to me as a young person, and I think if young people all across America would have those things said to them, that many of the heartaches that we face would be met with resolve and hope, because I really believe that today it isn't that the Federal Government is non-responsive or that the BIA is inefficient. I really believe that the reasons why we have the things that we face on our reservations, the high alcoholism rates, the dropout rates, the high suicide rates, these are really symptoms of young people growing up without hope. And this is where I hope that with all the other very important things that we have to be accountable for and be responsible for, I hope that my story can impact the youth of tomorrow, because they will be our next leaders.

And so today I stand here before you as a grateful and humble person. I feel that my life story of achievement, as well as failure, can serve both as a testament to the resolve of native people, but also to provide encouragement, because we have seen tremendous improvement over the last few years of our people. And I am excited and encouraged to be part of this, and I just want to thank all of you for giving me this chance and for considering me as the next Assistant Secretary.

Thank you.

[Prepared statement of Mr. Anderson appears in appendix.]

The CHAIRMAN. Thank you, Dave. You have certainly learned some real life experiences, going through some tough times, as many Indian children have in their young lives. I am reminded, though, that Abraham Lincoln once said I am not concerned that you fall, I am concerned that you rise; and you certainly have by picking yourself up and dusting yourself off, and through determination and perseverance have been a huge success in the private sector, and we wish you well.

I have some questions, as do some of the other committee members, but Senator Murkowski from Alaska has joined us.

Did you have any kind of opening statement before I proceed with questions?

Senator MURKOWSKI. Thank you, Mr. Chairman.

STATEMENT OF HON. LISA MURKOWSKI, U.S. SENATOR FROM ALASKA

Senator MURKOWSKI. If I can just make a small statement and comment, I am not going to be able to stay, so if it can be just brought up now.

Mr. Anderson, I appreciate hearing your personal story of opportunity and hope. And as the chairman has indicated, you serve as a wonderful role model and good example. You speak of the hardships that Native Americans have, but the opportunities that can present themselves if you believe, and I appreciate your sharing that with us this morning.

As you know, in my State of Alaska we have some very serious challenges that face our native people. You mentioned some of the

problems associated with alcohol and drug abuse, suicide rates, and fetal alcohol syndrome. We are not unique in our State with these problems. I think we are unique, however, with the extent to the problems. And so as we deal with the challenges, we look forward to working with you on that.

I would like to take an opportunity to call your attention to a program that would deserve your immediate attention in your new role, and that is the Indian Reservations Road Program. We had heard testimony several months back from Loretta Bullard, who is the executive director of Kawerak, one of our regional tribal consortia in Alaska. And Loretta had expressed some concerns with regards to the road inventory, the real inventory of Indian reservation roads in Alaska. And what passes for the Alaska inventory is grossly inadequate. Second, she indicated that the Bureau is arbitrarily rejecting requests from the Alaska tribes to add road miles to the inventory. We will certainly make available to you a copy of Loretta's testimony if you have not already read it.

But I would urge you to really take an opportunity to get a handle on the Indian reservation roads program to make sure that the benefits of this program are equitably enjoyed throughout Indian country. I know that there are other tribes that are equally concerned about it and about the management, and would hope that you would be able to take a fresh look at it.

And having said that, Mr. Anderson, I commend you for your willingness to take on this significant challenge, and wish you a speedy confirmation.

Mr. ANDERSON. Thank you.

The CHAIRMAN. Well, Dave, you just heard your first problem, and we haven't even voted on your nomination yet.

Senator MURKOWSKI. I wanted to take the opportunity there.

The CHAIRMAN. If you can solve those, I think we may build a statue to you, I tell you.

Well, anyway, let me ask a few and then I will turn to Senator Inouye.

You have had some wonderful successes, and you know the tribes face many obstacles. You have worked with your own tribe, who is a rather successful tribe. From the tribes' perspective, what do you believe are the most pressing issues that you would like to address once you are confirmed?

Mr. ANDERSON. Well, I think every tribal government has a list of important issues, of which I look forward to being able to go out and meet with tribal representatives or tribal leaders. I think, though, from my own standpoint, I believe there are two areas that I can really impact today, and that is the youth of our native lands. I also feel that I can also provide some guidance in the areas of economic development. I really believe that it isn't just developing programs where we can build buildings, fill our buildings with inventory, and then hang signs and then open them up for business that is going to allow us to be successful. I think we need to address the mental health of our people so that we have young Indian people growing up with the belief that they can achieve, that they can be successful in business, because a lot of times when we are out there pressing the needs for economic development, we take people who come from disparity and from tough economic condi-

tions, and many times these people don't even believe that they can be successful.

So I feel that a lot of the problems that we face today can be resolved as a group, as a whole, if we were to take a positive approach, that we start becoming solution-conscious, not problem-conscious; that all of us working together can overcome the things that we have been faced with in the past. And I believe that is what this American dream is all about, because in my own life, when I was blameful of other things, when I was blameful of my heritage, that is when I had the toughest time. But once I took responsibility for myself, then I started to realize that I was able to hold my future in my own hands, and by working hard and by believing positively things were able to turn around.

So I believe that if I can serve as a role model to Indian country, I really believe that we can approach the things that are against us with a positive attitude and we can overcome those things. I have seen tremendous success in the last few years by a number of tribes that have taken positive approaches, and they have resolved some tough things, so I really believe those are important issues that we need to take a look at, Senator.

The CHAIRMAN. You have had just a wonderful success in job creation, which is really important with all tribes now. Some of tribes have unemployment rates of 70 percent or higher. I don't know of any that have less than 40 or 50 percent. But one of the problems I think we have faced over the years, you know, in the last 100 years many tribes have become what I call in a position of forced dependency; they lost their traditional ways and, little by little, they were forced to be more and more dependent on the Federal Government for help. And sometimes I think that has created the attitude on reservations that the way of job creation is that you get a Federal grant and that creates jobs. You have proven the private sector way of the free enterprise system and certainly proved it works well, that it is not the Government that creates jobs, that really the best jobs are created in the private sector.

I note in the notes I have, too, that you have had some experience negotiating gaming compacts and are, in fact, an investor in a gaming business. Could you share with the committee your views on gaming as a development tool? Some are not doing well, as you know, in gaming; some are doing very well and have learned how to diversify and use some of the profits for other job creation. Tell the committee your views on it.

Mr. ANDERSON. Well, as you said, I think some tribes are doing very well and some tribes are still struggling, even though gaming is part of their economic opportunity. Gaming is like any other business opportunity, you need to have positive goal-driven thinking people in there running it; you need to be in a place of good location for it to be successful. But like anything else that we are faced with in Indian country, I believe that we have to manage those resources appropriately, and hopefully that it isn't that we don't take this gift that we have been blessed with in the last few years and let our people have an easy way.

I think that gaming is only an opportunity that should be used as a stepping stone, and that as tribes we need to use it as a beginning, as a developing point so that we can go on and invest in other

areas. I think my own life, like most young native people, gaming was one of my only opportunities, and once I was involved in it, I also realized, though, that wasn't exactly where I wanted to have my sons think that is all where I hung my hat in life, and so I went out and diversified and became successful in the restaurant business.

But I think as tribes, you know, when I have talked to other Indian people and I asked them about what they would like to grow up to be, they would tell me that they would like to get out of school and then go to work in the casino. And hopefully today I hope that we can change that around so we can get our young people to say that I would like to learn how to be an accountant and work in that casino, or I would like to learn how to be a cook and work in that casino; but that we would actually use these opportunities to learn meaningful occupations, meaningful vocations that, if gaming was no longer around, that we would learn the difference between employment and employability.

So today I think that gaming has presented an opportunity to our tribes that we have never had before. I have seen tribes that, prior to gaming, such as the Mille Lacs Tribe, which I worked with, were very dependent upon the Federal Government, had standard school systems, but today they have flourished. They have wonderful school systems, they have built hospitals and clinics, they have built a wonderful infrastructure and really have become a very meaningful part of the community.

So I think that, to answer your question, that gaming has provided an important opportunity, but it is an opportunity that should only be used as a stepping stone.

The CHAIRMAN. Thank you. I happen to be a supporter of Indian gaming, as a vehicle for job creation and a number of other things. Let me maybe talk about that or ask you about that a little bit.

From 1991-95 you were the vice president of Grand Casinos and are still a shareholder in a gaming company called Park Place Entertainment, is that correct?

Mr. ANDERSON. I was one of the original founders of Grand Casinos. I did leave that company back in, I believe, 1995 or 1996. I am no longer involved in that company. The shares that I hold are in Park Place Entertainment, but I will assure you, as I have met with the Ethics Committee, that I will be disposing of those shares upon my confirmation. And regarding any of those matters, I have also told them that I would recuse myself from any decisions regarding them.

The CHAIRMAN. And the Ethics Committee explained pretty carefully to you about any potential conflicts of interest?

Mr. ANDERSON. I have been very well aware of that.

The CHAIRMAN. Thank you.

All right, I would like to ask Senator Inouye if he has further questions.

Senator INOUE. Mr. Anderson, as you have eloquently pointed out, a matter of major concern in Indian country is the loss of hope by the young, the loss of self-identity and the loss of pride. Your stories of success and of failure, and how you dug out from failure into success again, should serve as an inspiration for many of these young men and women, but we have other problems that go slight-

ly beyond that, such as sovereignty and trust reform. A matter of major concern to this committee at this moment is trust reform, and a question evolves around should we use moneys from other activities in Indian country to fund this trust reform, or should we use new money from the general treasury to fund trust reform. Do you have any thoughts on that?

Mr. ANDERSON. Senator, at this point in time I am aware of the issues; however, I am not really totally familiar with all the facts that surround this subject. But I can assure you that I will be working with you and your staff and this Senate committee to decide what is the best avenues for that. So I respectfully, at this time, it would be best for me not to say too much.

Senator INOUE. You need not be apologetic. We have been working on this for nearly 100 years, and we are still looking for this elusive answer, but we will find it somehow.

The other question is the general concept of sovereignty, which is immensely important to Indian country. Once you lose sovereignty, the Indian identity disappears. And I hope that we can work together to do whatever we can to protect Indian sovereignty.

Mr. ANDERSON. Well, in my mind we never lose sovereignty. We may have it taken from us, but as America's first people, I will assure you that I am a supporter and I feel that I will do everything in my power to protect the sovereignty that as native people that we have always had.

Senator INOUE. Thank you very much, Mr. Anderson.

Mr. Chairman, any time you are ready, I am ready.

The CHAIRMAN. Senator Thomas, did you have any questions before we go on?

Senator THOMAS. Well, I am about ready too. Certainly all of us would agree with the concepts you talk about, causing people to have more hope and more interest. But you are going to be running a bureau, a bureaucracy, and you are going to be talking about specifics. What do you think are the most important kinds of changes you could make in BIA, for example, to bring about the things you talk about?

Mr. ANDERSON. Well, I think I have been successful in my business career because I have understood right from day one that it doesn't matter what I do in the home office, what really matters is what happens out there in the restaurants. The people that are belly-to-belly with the customers are the most important people in any organization. And I think that, being successful in business, one of the things that I will be bringing to this position is communication. I will be out in the field working with tribal leaders; I will be out in the field working with the 10,000-plus BIA employees. And it is really these people that know more about what is going on out there than I ever hope to be, so I look forward to not only working with the Senate Committee on Indian Affairs, but also Indian organizations that are throughout Indian country, and with the various tribal organizations and tribal leaders, and being able to communicate with them. So hopefully through communication we can better understand on all sides the issues that we are faced with.

Senator THOMAS. Well, I certainly agree, in that you are going to have a great number of different reservations and different

groups to deal with, all of whom have some different ideas. For example, irrigation and water development in the west is very critical to the reservations that depend on natural resources for their economy. But we talk about all the success, but there aren't opportunities on many of the reservations, and many are reluctant to leave the reservation, so, you know, your experience has been pretty unique, and you are going to have to deal with lots of folks who are less willing to take those chances than you have been. And so I certainly wish you well. I agree with your concept, but it is going to have to be more than a concept; you are going to have to put it into place with many other people assisting in order to have an impact.

Mr. ANDERSON. Well, I am hoping that the tribes support me. This is something that I can't do myself, and something that, you know, a long time ago, when I started to work on who I was, one of the things I realized was that I had to get done being full of Dave Anderson. If things were going to be different, I needed to ask for help. And so I have no problem being able to ask for help on things that I am not familiar with.

Senator THOMAS. I think that is very important also. When we talk about wanting to move to certain areas, it seems to me in order to do that you have to kind of clarify what you think the reasons are that hasn't happened. So I wish you well and certainly look forward to working with you.

Mr. ANDERSON. Thank you, Senator.

The CHAIRMAN. Thank you.

[Whereupon, at 11 a.m., the committee proceeded to further business.]

APPENDIX

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

PREPARED STATEMENT OF AUDREY BENNETT, PRESIDENT, PRAIRIE ISLAND INDIAN COMMUNITY

Good afternoon Mr. Chairman and members of the committee. My name is Audrey Bennett, and I'm president of the Prairie Island Indian Community. We are a Minnesota tribe located along the banks of the Mississippi River, in the southern part of the State.

It is an honor to be here on behalf of our tribal council and tribal membership to speak in support of President Bush's nomination of David Anderson to the position of assistant secretary, Bureau of Indian Affairs.

In addition to serving our tribal community as its president, I am treasurer of the National Indian Gaming Association and the immediate past chair of the Minnesota Indian Affairs Council. I have been involved in tribal politics much of my adult life and I know full well the challenges we as native peoples face in this country.

Our cultures are eroding with the passing of time. Land issues threaten our senses of community and many tribes continue to struggle for economic development capable of sustaining their governments. And many of our children are not getting the education they need to succeed in this world, while others are succumbing to today's most sinister social ills.

The BIA, for all its faults, remains a critical resource for addressing and helping meet these challenges. As such, the BIA is deserving of leadership that reflects its significance and the magnitude of the challenges at hand. We believe Mr. Anderson can satisfy this role and we fully support his nomination.

Throughout his life, Mr. Anderson has pursued the American dream for his family and his people. Along the way he has experienced numerous personal and professional setbacks, but they only sharpened his resolve. In this way his life is quite similar to the struggles and triumphs of Indian people throughout this country. He is a testament to what can be accomplished through hard work and dedication and he is an inspiration to our young people.

As a Minnesota tribe, we have witnessed many of Mr. Anderson's accomplishments. We have seen first hand his commitment to improving the lives of Native Americans on and off the reservation. To this day he can be found offering guidance to Native American teens at the Life Skills Center for Leadership in Minneapolis, an organization he founded and helps finance.

His work in tribal gaming helped build the foundations on which a number of tribal communities throughout the country now are beginning to thrive, including the Mille Lacs Band of Ojibwe and the Lac Courte Oreilles Tribe where he is an enrolled member and a former CEO. His success with the Lac Courte Oreilles was heralded by President Reagan's Commission on Indian Reservation Economies.

As an entrepreneur, Mr. Anderson has demonstrated a keen insight for business, substantiated by his more than 80 Famous Dave's restaurants spanning some 20 States. Today, in Minnesota and in many other places, his is virtually a household name.

Mr. Anderson also is no stranger to public policy. He is a graduate of Harvard University's Kennedy School of Government. And he has served in numerous public service positions, including the Wisconsin Council on Minority Business Development, the National Task Force on Reservation Gaming, the Advisory Council for Tribal Colleges and Universities, and, most recently, the American Indian Education Foundation.

In a recent editorial, the St. Paul Pioneer Press described Mr. Anderson as a generous man, giving of his time and his fortune to help young native people and the broader community.

That same editorial also questioned his thinking for wanting to take, what the paper described as one of the most challenging and complicated jobs in Washington.

Perhaps it is rare to find someone with Mr. Anderson's blend of real world experience, education and desire to do good who is willing to take on what some believe is an impossible assignment.

There is no question that leading the BIA is a formidable task, but it is not insurmountable—it can't be because there is too much at stake if we allow it fail.

As a Washington outsider, we believe Mr. Anderson will bring a fresh perspective to numerous issues that have plagued the BIA for decades and relieve a source of frustration for tribes and numerous administrations alike.

Mr. Anderson is worthy of this opportunity and capable of meeting the enormous challenge before him. We urge you to accept his nomination and confirm him to the position of assistant secretary, Bureau of Indian Affairs.

Mr. chairman, members of the committee, thank you for this opportunity to testify in support of Mr. Anderson's nomination.

PREPARED STATEMENT OF LOUIS TAYLOR, CHAIRMAN, LAC COURTE OREILLES BAND
OF LAKE SUPERIOR CHIPPEWA INDIANS

Ladies and Gentlemen: My name is Louis Taylor. I am the tribal chairman of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians. Accompanying me is Lac Courte Oreilles tribal vice chairman, Russell Barber, and Alfred Trepania. Mr. Trepania serves as president of the Great Lakes Inter-Tribal Council. The Great Lakes Inter-Tribal Council is an organization comprised of 11 member tribes of which Lac Courte Oreilles is a member. The organization's purpose is to assist its member tribes with preserving tribal sovereignty and achieving self-sufficiency and self-determination. Mr. Trepania is also a Lac Courte Oreilles tribal member and a former tribal chairman.

The Lac Courte Oreilles Tribe is located in Northwestern Wisconsin near the Town of Hayward in Sawyer County. Our reservation is comprised of approximately 74,000 acres with the tribal membership at 5,531. Lac Courte Oreilles has the third largest membership of the 11 tribes in Wisconsin.

Some of the services the Lac Courte Oreilles Tribe provides its community include a Head Start Program, K-12 School System, Community College, Road Construction and Maintenance, Fire Department, EMT Service, Social Services, Emergency Shelter, Halfway House, Public Radio Station, Medical Services, Elderly Nutrition Sites, and Youth Centers.

Additionally, the Lac Courte Oreilles Tribe owns and operates a Cranberry Marsh, Grocery Store, Gas Station, Resort, Construction Company, Casino, and Credit Union.

Although we have made some great accomplishments in recent years, largely due to a modest gaming establishment, there are still areas of significant need on the reservation. The family per capita income on the reservation in 1999 equaled \$24,600 per year with the tribe's seasonably adjusted unemployment rate at 20 percent. With over 20 percent of the children on the reservation living in poverty, there is still plenty to do and we are constantly looking for new areas of economic development.

Contrary to popular belief, our tribe and many other tribes do not distribute per capita payments to its members as we are almost always operating with a budget deficit and rely on grant moneys in order to provide basic services and jobs for our tribal members. Even with our ongoing challenges, there has been steady growth at Lac Courte Oreilles and we will continue our efforts for the benefit of our tribal members and generations to come.

The Lac Courte Oreilles Tribal Governing Board is the governing body of the Band and I as chairman, am pleased that David Anderson has been nominated by President Bush to serve as the U.S. Department of the Interior's Assistant Secretary for Indian Affairs. I am extremely proud that a tribal member of Lac Courte Oreilles has been nominated to serve the tribal governments and the United States in this important position.

I am honored to be here today and would like to thank Chairman Ben Nighthorse Campbell and the U.S. Senate Committee on Indian Affairs for the invitation to speak.

Testimony of David W. Anderson
Nominated to be Assistant Secretary for Indian Affairs
before the
United States Senate Committee on Indian Affairs
October 22, 2003

I want to thank the Senate committee for the opportunity to appear before you this morning regarding your consideration of my nomination by President Bush to be Assistant Secretary for Indian Affairs. I feel both humbled and honored to be considered for this important position.

My father is an enrolled tribal member of the Great Choctaw Nation and was born and raised on the red earth of Idabel, Oklahoma. My mother is an enrolled tribal member of the Lake Superior Band of Lac Courte Oreilles Ojibwa located in the beautiful northwoods near Hayward, Wisconsin. Both of my parents were raised in BIA schools and met at Haskell in Lawrence, Kansas. I was born and raised in Chicago but spent my summers and later years on the Lac Courte Oreilles reservation in northern Wisconsin.

Throughout my life, I have served tribes in the business and commercial development of their resources and I now look forward to serving at the national level. I felt that my calling in life was that of an Indian businessman. Creating businesses is where I have been the happiest... so I have had to do great soul searching and I have spent considerable time in prayer to consider this request by the President.

The reason why I am here today is because if I am given the opportunity, I sincerely feel that I will make a positive difference both in the Bureau of Indian Affairs and throughout Indian Country.

Some time ago, I determined that if my life was going to be different that I needed to accept 100 percent of the responsibility for changing the character of who I was. I realized that as an American Indian it was no longer acceptable to blame others for my position in life. I came to believe that I had metaphorically won the biggest lottery that anyone could hope for, by just being born into this incredible country. Once I fully understood this, I made up my mind that despite being an academic underachiever early in school, that I was going back to school to complete my education.

Today, I have a master's degree from Harvard University. I have gone from being bankrupt to creating and helping found three publicly traded companies on Wall Street. I have created over 18,000 new jobs in America.

I started my latest business, Famous Dave's of America, on the boundary of the Lac Courte Oreilles Indian Reservation in northern Wisconsin. Famous Dave's of America is a nationally recognized restaurant company with 88 restaurants and nearly 6,000 employees. Each restaurant annually averages between \$2.5 million to \$5 million for a yearly run rate of over \$200,000,000. We have over 100 new restaurants that are signed up and ready to be built in the near future.

I appear here before you as a sober person even though I spent some of my younger years drinking. I have been through alcohol and chemical abuse treatment and today I am not embarrassed to publicly own up to these things because I believe that leaders like myself need to stand up and be the role models to others. We must show that the high alcoholism conditions that we face in our tribal communities can be overcome and put us on the red road of recovery.

In preparation for today's Senate hearing, I have studied many documents that have described the significant problems facing the BIA and its relationship with the tribes. I believe that the reason why I am here today is not because I am the most knowledgeable person in American Indian and Alaska Native issues, but because in my lifetime, I have overcome many formidable adversities and I never quit.

I firmly believe that many other Native people, given the opportunity to seek their vision, acquire their inspiration, and activate the real essence of teamwork, can find the fulfillment of self-determined lives.

Today, I live a life of gratefulness and believe that God has had his protective hand over my life. I have been given a number of second chances in life and I feel that my higher purpose is to make a positive difference in the lives of our Native youth.

The high suicide rates, drop-outs, alcoholism incidents, and unemployment rates within our tribal homelands are occurring not because the federal government is non-responsive or that

the BIA is inefficient, but because many of our youth are growing up without much hope of living lives of achievement or accomplishment. This is where I know that I can have the greatest impact for the future of Indian Country.

Let me be clear early in my comments about the framework from which I would view my leadership role in the U.S. Department of the Interior. From the earliest days of my entrepreneurial and business development work with various Indian tribes, I have gained a working understanding of and an appreciation for the fundamental powers of tribal self-government.

Self-government and self-determination are deciding one's own fate or course of action without threat. It is also the governing of a nation by its own people. Perhaps it is simply a matter of an entire group of people one day just pronouncing, "I am going to do it," and then going out and doing it.

I see a time when Native Americans will innately tap into their deepest, most personal resources, to become all that they truly desire and deserve. There will be a time when all American Indians and Alaska Natives will drive their lives with the extraordinary power of positive thinking, a firm belief in their ideas, and a self-mastery of personal achievement strategies to truly change the face of Indian Country.

As Chief Executive Officer for the Lac Courte Oreilles tribal business corporation, I experienced first hand the difficulties in promoting economic business development and

economic self-sufficiency. I am also very knowledgeable about the opportunities available to Indian tribes. For example, I successfully negotiated the first gaming compact between the Lac Courte Oreilles tribe and the State of Wisconsin.

In recent years, I founded the LifeSkills Center for Youth Leadership, a revolutionary development program that profoundly transforms the lives of American Indian youth and was featured for an Angel Award in 2002 by Oprah Winfrey.

As mentioned earlier, I have a fundamental belief in the personal worth and dignity of each Native American person. My life today is about giving back. I have personally invested millions of dollars in the support of powerful programs and services to promote the re-creation of healthy tribal nations. I have a firm resolve that through the personal development of each Native individual, one person at a time if necessary, Indian Country will once again assume its rightful place of honor as the shining light in America.

I look forward to meetings with tribal leaders and Bureau employees to solicit their ideas and build dialogue about how best to achieve their mission and goals. I will actively seek the advice of those people who, on a daily basis, serve American Indians and Alaska Natives. Communication with them is the key to facilitating any Bureau of Indian Affairs reorganization that will help the Bureau redouble its commitment to improve economic development, transportation, education, and infrastructure development.

I anticipate a positive working relationship with the Senate Committee and its members, the Indian nations, Bureau employees, and other leaders in the field of business, education, and human development as we strive to improve economic conditions and improve the government-to-government relationship that is the cornerstone of Indian self-determination and self-governance.

Thank you.

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David W. Anderson
7016 Antrim Road
Edina, MN 55439

October 21, 2003

The Honorable Ben Nighthorse Campbell
Chairman, Senate Indian Affairs Committee
United States Senate
838 Hart Senate Office Building
Washington, D.C. 20510

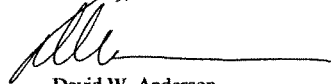
Dear Mr. Chairman:

Pursuant to Section 101(b)(1) of the Ethics Reform Act of 1989, I hereby certify and report that the information required by 5 CFR 2634.606(a) with respect to outside earned income and honoraria, as set forth in my Financial Disclosure Report (SF-278) dated September 17, 2003 is current as of this day.

Up through and including October 17, 2003, I have received outside earned income from the following sources and in the following amounts: Famous Dave's of America, Inc., \$80,000; American Indian Gift Store, \$500; Good Times Guaranteed Music Company, \$3,000; and S&D Land Holdings, \$102,034.

I further certify that I have transmitted copies of this report to the Designated Agency Ethics Official of the Department of the Interior and to the U.S. Office of Government Ethics.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Anderson', followed by a horizontal line extending to the right.

David W. Anderson

Washington)
District of Columbia)ss
)

Subscribed and sworn before me on this 21st day of Oct, 2003.

Rhonda Sullivan
Notary Public

My commission expires: 2/28/08

cc: The Honorable Daniel K. Inouye
Vice Chairman

Ms. Amy Comstock
U.S. Office of Government Ethics

Famous Dave's®



"Famous Dave" Anderson
 Founder and Chairman
 Famous Dave's of America

Dave Anderson a Native American is an enrolled member of the Chippewa and Choctaw tribes and is the founder of Famous Dave's of America, recognized as one of the Hottest Restaurant Concept's in America by Nation's Restaurant News. Dave is remarkably unique in his food and his award-winning restaurants, widely recognized for his extraordinary palate, devotion to detail, and dedication to constant improvement. In Dave's own life, he has experienced frustration and bankruptcy as well as tremendous success. He firmly believes God has had His hand over his life. And, Dave believes if it weren't for other people giving him second chances he would not be where he is today, having helped found three publicly traded companies on Wall Street and creating over 18,000 new jobs. He has been awarded a Bush Leadership Fellowship, received a Master's degree from Harvard University (without having an undergraduate degree), and recognized as "Emerging Entrepreneur of the Year" (in Minnesota and the Dakotas) by Ernst & Young, NASDAQ and USA Today.

Today, Dave devotes himself to making a difference in his community and in the lives of others less fortunate. As an avid public speaker, he shares his optimism and inspiration with youth groups and community organizations, stressing that no matter how tough things may seem today, if you never give up your dream and work hard, tomorrow's rewards will always come. Oprah Winfrey's Angel Network recently recognized Dave's leadership development work with Native American youth. Most recently, President Bush appointed Dave to the President's Board of Advisors on Tribal Colleges and Universities

DAVID W. ANDERSON FACT SHEET

- 1971 – Anderson starts first selling business at age 18 and promptly fails.
- 1972 – Anderson start second business wholesaling plants to florists in the Chicagoland area. By time he is 21, he secures all Chicagoland Sears stores and every major retail florist account in Chicago and goes bankrupt in 1979.
- 1977 – Anderson participated in President Carter’s Task Force to study “The Problems of Minorities in Small Business,” and participated in round table discussions sponsored by the Small Business Administration.
- 1979 – Anderson joined the sales force of a major Fortune 500 company. In one year he took the last place territory of 12 states to Number One by bringing in over \$1,250,000 in sales the last 6 months of the year.
- 1982 – Anderson was hired to put together a team responsible for turning losing businesses into profitable and stable businesses for the Lac Courte Oreilles Chippewa Reservation. Under his leadership, gross revenues were increased from \$3,9000,000 to \$8,000,000. This effort was recognized by President Reagan’s Commission on Indian Reservation Economies.
- 1983 – Anderson was named to a National Task Force on Reservation Gaming by the Bureau of Indian Affairs in Washington, D.C.
- 1983 – Anderson was appointed to The Council on Minority Business Development for the State of Wisconsin.
- 1984 – Anderson was appointed to The Wisconsin Council of Tourism.
- 1985 – Anderson was named a Bush Leadership Fellow by the Bush Foundation, St. Paul, Minnesota, recognizing him for a lifetime of outstanding achievement.
- June, 1986 – Anderson earned a Masters Degree in Public Administration from Harvard University at the John F. Kennedy School of Government. (without having an undergraduate degree!).
- 1989 – Anderson formed a management and investment company specializing in emerging gaming markets. In the March, 1997 issue of Fortune Magazine, this company was recognized as “The Fastest Growing Company in America.”
- 1994 – Anderson helped found The Rainforest Cafe, a highly successful restaurant company that was recognized as one of the “Hottest Concepts in America.”
- 1994 – Pursuing his life-long passion, Anderson opened his first Famous Dave’s BBQ Shack in Hayward, Wisconsin, on Round Lake. The BBQ Shacks are reminiscent of the old- fashioned BBQ joints popular across the country 50 years ago, featuring slow-smoked ribs along with Dave’s own secret BBQ sauces. The restaurant was an instant success, serving up to 8000 people a week in a town of only 1800!
- October 1995 – Famous Dave’s BBQ was awarded the Blue Ribbon “Best BBQ Sauce in America” in the mild-sauce division at the prestigious American Royal International Barbecue Contest. In December, Mpls. St. Paul Magazine named Famous Dave’s BBQ Shack “Best Barbecue Joint” in the Twin Cities.
- October 1996 – Famous Dave’s of America, Inc. announced its Initial Public Offering, opening at \$6.25 on the NASDAQ market.
- May 1997 – Nations Restaurant News recognized Famous Dave’s restaurants as one of the “Hottest Concepts in America” for originality, and innovation in menu, décor, service, as well as strong consumer approval.
- June 1997 – Ernst & Young, sponsored by NASDAQ and USA Today, recognized Dave Anderson as Minnesota and Dakota’s Emerging Entrepreneur of the Year. The Entrepreneur of

the Year program honors and recognizes entrepreneurs who have demonstrated excellence and extraordinary success through innovation, financial performance, and personal commitment to their business and community

- March 1998 – Anderson named Restaurateur of the Year by Mpls. St. Paul Magazine.
- April 1998 – Zig Ziglar, world-renowned motivational speaker and author of “See You at the Top,” dedicated his “Success for Dummies” book to Dave Anderson. “Success for Dummies” is one of a series of the highly successful “Dummies” books by IDG Books Worldwide, Inc. Dave’s “Against All Odds” life story is featured in this best selling book.
- January 1999 – The Anderson Family established The LifeSkills Center for Leadership with a \$1,400,000 gift. This fund was created to help disadvantaged Native American Children.
- March 1999 – Famous Dave’s recognized for being in the “Top 10” restaurants out of the “Super 1000” restaurants in Minnesota! Mpls/St. Paul Magazine
- March 1999 – Anderson’s new cookbook, “Famous Dave’s Backroads & Sidestreets”, was released with all proceeds being donated to help disadvantaged Native American children.
- December 1999– “Famous Dave’s Backroads & Sidestreets” wins the National Barbecue Associations “Award of Excellence” for being the “Best New Barbecue/Grill Cookbook!”
- May 2000 – Dave’s success story of overcoming major adversities and failures is featured by New York Times best selling author on leadership, John C. Maxwell in his newest book “Failing Forward”
- November 2000 – Famous Dave’s awarded “Top Gun” by the Neighborhood Marketing Institute for aggressive in-store marketing at the 2000 Marketing War College. 1999 to 2000 in-store marketing efforts resulted in 47% increase in sales, 8.5% average increase in comparable store sales, and an overall 300% increase in profits.
- March 2001 – Founds the LifeSkills Center for Leadership. Using his 30 years of research, Dave creates a life-changing program for at-risk youth and young adults.
- January 10 2002 – Honored as an Olympic Torch carrier for the 2002 Winter Olympics held at Salt Lake City, Utah.
- February 2, 2002- Receives the Odyssey Award by Big Brothers Big Sisters for significant contributions to his profession and the community either as mentors or in service to youth.
- April 1, 2002 – Dave receives Oprah’s Angel Network Award and a \$25,000 grant from Oprah for continuing leadership development work with at-risk Native American youth.
- July 3, 2002 – President Bush appoints Dave to the President’s Board of Advisors on Tribal Colleges and Universities
- May, 2003 – Dave receives Nightingale-Conant coveted “Acres of Diamonds” Award in recognition of his personal commitment for helping others find their own “Acres of Diamonds!”

BOARD MEMBERSHIPS

- Founder and Chairman, Famous Dave's of America
- Boardmember, Minnesota Teen Challenge

OTHER AFFILIATIONS

- Member of the Choctaw/Chippewa Indian tribes, and an enrolled member of the Lac Courte Oreilles Lake Superior Band of Ojibwa of northwest Wisconsin.
- Harvard University's Native American Program, Advisory Council
- Executive Mentor, Carlson School of Business MBA Program, University of Minnesota
- Board Member Lac Courte Oreilles Boy and Girls Club, Hayward, Wisconsin
- Member of the National Speaker's Association of America
- International Association of Culinary Professionals

Honors, Awards & Recognition

Few restaurants in history have achieved as much recognition in a few short years as Famous Dave's of America

"RESTAURATEUR OF THE YEAR"

David W. Anderson
Best Restaurant Issue
• Mpls/St. Paul Magazine

David W. Anderson "EMERGING ENTREPRENEUR OF THE YEAR"

Ernst & Young, NASDAQ, USA Today

David W. Anderson "ENTREPRENEUR OF THE YEAR"

TwinWest Chamber of Commerce, Mpls.

National Recognition

Nation's Restaurant News named Famous Dave's of America

1997 HOT CONCEPT

Famous Dave's has been showcased as one of the hottest growth concepts in America for originality and innovation in menu, decor and service as well as strong consumer appeal.

"GREATEST RIBS IN AMERICA"

Great American Rib Cookoff, Cleveland, OH

PEOPLE'S CHOICE • "BEST RIBS"

CRITIC'S CHOICE • "BEST SAUCE"
Twin Cities Ribfest, Minneapolis, MN

PEOPLE'S CHOICE • "BEST RIBS"

Naperville Ribfest, Naperville, IL

CRITIC'S CHOICE & PEOPLE'S CHOICE

"BEST RIBS"
Fargo Dome Ribfest, Fargo, ND

"BEST SAUCE IN AMERICA"

Great American Rib Cookoff, Cleveland, OH

"BEST RESTAURANT DESIGN" STARR AWARD

Minnesota Shopping Center Association

"BEST RIBS"

Annual Reader's Poll
• City Pages
• Mpls/St. Paul magazine
• Minnesota Monthly magazine

"BEST NEW RESTAURANT"

Annual Reader's Poll
• Mpls/St. Paul magazine

"BEST TRADITIONAL TAKE-OUT MENU"

National Barbecue Association

"BEST RESTAURANT PROMOTER"

"Famous Dave" Anderson
Mpls/St. Paul magazine

"BEST MUSIC"

Annual Reader's Poll
• Minnesota Monthly Magazine
• Mpls/St. Paul magazine

"BEST LAST MEAL IN THE TWIN CITIES"

Best of the Twin Cities Issue
• Mpls/St. Paul magazine

"HOT NEW CONCEPT"

Chain Leader
National Restaurant Chain Publication

"BEST NEW RESTAURANT"

Madison Capital Times

"BEST DESSERTS"

Annual Reader's Poll
• Minnesota Monthly Magazine

“BEST LAST MEAL IN MINNESOTA”

Annual Reader’s Poll
• Minnesota Monthly Magazine

“BEST BBQ JOINT”

Best of the Twin Cities Issue
• Mpls/St. Paul Magazine

“BEST BBQ SAUCE IN AMERICA!”

mild tomato category
American Royal Barbecue Contest

“BEST TAKE-OUT”

Best Restaurant Issue
• Mpls/St. Paul Magazine

“BEST RESTAURANT IN NAPERVILLE”

Naperville Sun, Naperville, IL.

AWARD OF EXCELLENCE

BEST NEW BARBECUE/GRILL

COOKBOOK

National Barbecue Association
World’s Largest and Most Prestigious Barbecue
Contest , Kansas City, MO

Dave's Philosophies

**If you don't believe right...
You won't live right!**

—John Wesley

How can you do incredible things if you don't have incredible thinking? You need good philosophies to guide you in your daily life. These are some great thoughts, philosophies, and ideas from great thinkers, teachers, and leaders. Memorize everyone of them like I have and they will guide you and develop you!

Your thoughts are pure energy! If you could fully comprehend the awesome power of your thoughts, you would immediately dedicate 100% of your mind to positive thinking. And you would be forever frightened of the consequences of your negative thinking.

The same thinking and behavior that got you to where you are today is not the thinking and behavior that you will need to stretch to where you want to be tomorrow!

If you think that things are tough, it's only because we are doing what only the tough can do!

Don't spend a lifetime becoming good at something you don't love to do. The secret to all success is to follow your dreams. Dream big dreams and focus all your energy into believing they will come true. A vision believed so strongly that it is burned into every cell of your body will manifest itself into reality in your external world.

If it's to be, it's up to me. Learn to depend on yourself. You are responsible for where you are in life. Quit blaming others for your failures. Change yourself first, and the world around you will get better.

If you always did what you always did, you're always going to get what you always got. Quit trying to change what's around you or who's around you. Spend your valuable time working on yourself. Get out of your comfort zone and learn something new!

Sometimes it's your friends, neighbors, and relatives that hold you back. A negative peer group can influence your outlook on life. If you're not happy with your present situation ... look at what's around you. Who are You hanging with? Who are you listening to? What good books are you reading? What kind of trash are you listening to on the radio? Distance yourself from a peer group that isn't helping you succeed.

Good, Better, Best, Never let it rest. Don't get complacent, push yourself out of your comfort zone and set higher standards of achievement for yourself. Once you've achieved a standard of excellence—never let it rest, push yourself even higher.

Never work for today's paycheck, always work for tomorrow's opportunity. Tomorrow's rewards are always greater. (Famous Dave) There are no shortcuts in life. Continued hard work today and everyday, and never quitting, will eventually turn into a more fulfilling life tomorrow.

If something for nothing is your goal, you will end up with nothing. Become a profit center. Always create more than you consume. Create more value than you get paid for and opportunities will always come looking for you.

Never Complain, Never Gossip, Instead, Always Be A Good Finder. Quit making the other person wrong—build them up instead!

Every day is a fresh start. Begin your day saying positive affirmations to yourself. Smile and say something positive and cheerful to everyone you meet. Give someone a Velcro hug!

Work hard on your job and you'll earn a living. Work hard on yourself and you'll earn a fortune. (Jim Rohn) Do more than you're paid to do. Always volunteer for extra work. Never quit learning. What ever you do, take pride in your work.

I do what others will not do. You must be willing to do what others will not do, so tomorrow you will have what others won't have! Go for the challenges and problems that others run from. Excel at doing what others will not do and you will have more opportunities and financial rewards than you can ever dream of!

You should never have to apply for but one job in your life! Your reputation of being a cheerful enthusiastic hard worker will attract the best opportunities that life has to offer. These opportunities will come looking for you!

Be hard on yourself and life will be easy on you. Be easy on yourself and life will be hard on you. (Jim Rohn) Don't look for the easy way. You won't grow and you won't learn anything.

Always invest in yourself. Never hold back on things that can improve your life. Invest in good books, self-help cassettes, seminars, and lectures. Your life should be a quest to constantly improve yourself. Always buy good tools.

You can judge a person's success by the size of their library. All homes over \$250,000 have a library. That should tell you something...the question is..."How big is your library?"

3% of the people in America control the majority of wealth. Only 3% of the people in America have a library card. When is the last time you read a good book?

If you were to study just one hour a day on your passion, work, or career; within 5 years you will become one of the most knowledgeable in the world! It's that easy! Don't delay, start now to become one of the best in your field.

The wealthy do not watch TV.

My car is a "University on Wheels." Listen to positive mental attitude cassette tapes and books on tape. You can gain the equivalency of a college education in three years if you were to listen to books on tape just in the time you spend riding around in your car.

If life is worth living, life is worth recording. (Jim Rohn) Keep a journal. Write down lists of things you have to do. Write down things that you have learned, your life is a treasure to be remembered!

Whatever the mind of man can conceive, and believe, man can achieve. (Napoleon Hill) Be ambitious in your dreams. Always see yourself a better person than you are now. Write down your goals and repeat them over and over to yourself many times every day. Sooner or later they will come true! Believe that. Never doubt it. Never give up.

You can get everything in life that you want, if only you help enough other people get what they want first. (Zig Ziglar) Always be the first to help someone out. Ask "What can I do to make your life better?" Never expect anything in return. The greatest joy in life is giving anonymously and without expectation.

My whole purpose in life is just to make you happy! (Famous Dave) Remove your own personal gratification and ego to make a difference for the better in someone else's life.

People are in awe of Michael Jordan for what he does. People are in awe of Mother Theresa for what she has become. The question to you is..."What are you becoming?"

Always take the high road when others are attacking you. Don't let them pull you down to their level. Don't retaliate. Don't be vindictive. You have more important things to achieve in your own life to be suckered into a immature "gotcha back".

No Surprises, No Excuses. Always be truthful. Don't let your mistakes keep you from being honest. Let people know right away when you are having problems. It's the only way they can help you. It's important to your personal growth to always accept full responsibility for your own actions.

It's all right to fail and make mistakes. Never judge others for their failures or mistakes. It's OK! Failures and mistakes are important in the learning process. So never beat yourself up and especially don't let others get you down. Look at things positively. Resolve never to let it happen again. See if there is anything to be learned from this experience.

Great failures are life's most important teachers. If you don't risk anything, you'll have nothing to fear. But you won't experience great success either!

Great failures only reveal the strength of the character that is within you! Without adversities in life, we cannot grow or get better. Without problems we could never achieve our true potential. All problems are opportunities.

Pity Parties—Don't have them, Don't go to them! Stop living your life as a victim and start living your life victoriously.

Don't be bitter...become better! A winner will always turn adversities into making him a better person—not a bitter one.

Never get angry. Never use your anger to crush the spirit of another person. Quit making the other person wrong! Only use your anger to make positive changes for the good of mankind. Like get angry at pollution, or angry at injustice.

Forgive yourself. Forgive others. Forget it. Move on quickly! Winners and losers both experience the same fear and failure. The difference is how quickly winners get up and get back in the game. Winners don't spend valuable time and energy dwelling on what has happened in the past. They forgive, forget and move on quickly.

You can't go to the marketplace asking for more money. Bring more value to the market place, first. (Jim Rohn) Two key areas: 1) Increase the quality of the product or services you are bringing to the marketplace. 2) Those who have experienced greater success in life have learned how to duplicate themselves. **Be a teacher.**

Be all that you can be. Out of all living things only man has been given a choice to grow. All things in nature will strive to grow to their maximum potential. A tree will grow as tall as it possibly can. Make your choice to grow and achieve as much as you possibly can. Always try harder to achieve your maximum potential.

Income seldom exceeds personal development. Be a learner. Learn more to earn more!

What you become- directly influences what you get. The most important question to ask on the job is not "What am I getting?" The most important question to ask is "What am I becoming?" Develop a relentless work ethic.

Your paycheck is not your employer's responsibility; it's your responsibility. Your employer has no control over your value... but you do.

Always do more than you get paid for-- as an investment in your future. Always do more than what you get paid to do because that's where your fortune is created.

You should own money not owe money. The poor save money, the rich invest. The poor work for their money, the rich have their money work for them. The key lesson here is that... "You cannot work yourself rich!" Wealth only comes from the size of your investment portfolio.

Be a "saver" not an "accumulator" Don't let your possessions define who you are. Don't fret over what you earn but learn to rejoice over what you keep! The true measure of financial success is not the things you acquire but the measurement of how many people you have been able to satisfy beyond their wildest expectations.

The greatest money making secret is to learn the miracle of "compound interest". Compound interest just doesn't increase your money—compound interest grows money exponentially.

Through schooling and training, you will earn a living. Non-stop commitment to self-learning will make you a fortune. Learning must come before motivation. Inspiration comes from within. Let God live within you!

Be Generous. Be a giver not a getter. Giving makes you bigger than you are. Only by giving are you able to receive more than you already have. You make a living by what you get, You make a life by what you give. The more you pour out, the more life will be able to pour in.

Have the attitude of gratitude. Be thankful to God for everything that you have. Thankfulness is one of the magical keys to abundance. Abundance flees from ungrateful people with negative attitudes.

Don't wish it was easier; wish you were better. Don't wish for fewer problems; wish for more skills. Don't wish for fewer challenges; wish for more wisdom. (Jim Rohn)

Be "Solution Conscious" not "Problem Conscious" Anybody can point out problems but the valuable person is the one who finds solutions and accepts the responsibility to implement the solution.

You must get good at one of two things: Sowing in the spring, or begging in the fall. The soil says don't bring me your need, bring me your seed!(Jim Rohn) You must put something in before you get anything out. Then you must cultivate, weed, and feed.

The grass isn't always greener on the other side. Work harder where you are and soon your grass will be greener on your side of the fence! You become the fertilizer where ever you are, that's when greater opportunities will come looking for you!

Average people look for ways of getting away with it; successful people look for ways of getting on with it.

Working 40 hours will only earn you a living. Everything invested over 40 hours will earn you a fortune.

You never get exhausted from what you've done; you only get exhausted from what you haven't done!

It's better to "wear out" than "to rust out!" Live life to its fullest. Don't waste it...be industrious!

Discipline is the foundation upon which all success is built. Lack of discipline inevitably leads to failure.

Do Your Homework! Nothing is more powerful for your future than being a gatherer of good ideas and information That's called doing your homework. Knowledge—don't leave school without it!

Repetition, Repetition, Repetition. Practice, Practice, Practice. More often than not it's the simple things done over and over again that creates excellence. Don't let complacency set in. People who give up because they are bored and never stay the course often miss out on the rewards of success. Don't quit. Don't give up. Stay the course and sooner or later your efforts will be rewarded.

There Are No Shortcuts in Life. Patience is a virtue. What you do day-in-and-day-out maybe boring, but those that stay the course are always the ones who win at the end.

Love "Problems". Accept the fact that everyday you are going to get hit with problems. Don't avoid them. I challenge you to ask for problems! Ask your boss for some problems. It will change your life! Be the one everyone can count on for handling problems. Problems are really life's golden opportunities for success and achievement!

Don't tell friends your problems. 80% couldn't care less and the other 20% are actually glad! We all need help sometimes. It is a sign of maturity and wisdom to ask for help when you have problems you can't handle yourself. Cultivate key people in your life who you can go to for advice during difficult times. Don't go it alone!

Be a Cheapskate! Live Debt Free. Don't buy anything that eats, depreciates, or entertainment on credit. Live on 70% of your income. Save 20% and give 10% back to charity. Buying used cars will allow you to live stress free!

All first time homeowners should take a real estate license course. For most young people starting out in life the single biggest investment will be their home. Take a real estate license course it will give you the best insight for your most important investment decision. They are generally last a week and most often you can take evening courses.

Don't join an easy crowd; you won't grow. Go where the expectations and the demands to perform are high. Constantly ask yourself:

Who am I around?
 What are they doing to me?
 What have they got me reading?
 What have they got me saying?
 Where do they have me going?
 What do they have me thinking? and most importantly...What am I becoming?

Then ask yourself is that OK? If not—don't worry about changing them. Change Yourself!

If you don't program you...what's around you will program you! If you don't have a plan for your life; you will fall prey to the plans of others. What's scary is the fact that most people do not have good plans!

God is in the details...Pay attention to the Details.

Be Alert, Be Observant and Practice Scanning; always know what's going on around you.

Spend your most Productive Time on your most Important Priorities and Goals. Don't spend your most valuable time on unproductive things that don't matter. Don't spend major time on minor things.

Live Healthy to be Happy!

What Happens to You on the Inside...becomes your Reality on your Outside. What you focus on and concentrate on will manifest itself into physical reality.

The same thinking and behaviors that got you to where you are today are not the thinking and behaviors you will need to stretch to where you want to be tomorrow!

Do not look at, focus on, or create a memory of something you do not want in your future. If you dwell on it—it will become your destiny!

You cannot outperform the vision that you have of yourself! Dream big dreams.

Your tongue is like the rudder of a ship, it will determine where you go. Make sure you say only good things. Make sure you only talk in the positive. Never get angry again in your life. Never gossip or tell untruths.

The "whiter" your food—the quicker you are dead! Three major killers—white flour, white sugar, white salt.

When You Are Around Others...Be A Breath Of Fresh Air. Your attitude should be refreshing and energizing.

In Nature, Security Does Not Exist!...only Opportunity. People get frustrated trying to find security in comfort zones. It doesn't exist, so quit trying to find it. Instead start get excited about creating your own opportunities!

Create a Treasury of Memories for your children and relatives. Start boxes for everyone that you want to give a treasury to. Pictures, recipes, books, music, things that have meant something to you.

Live to work!...don't work to live

Look smart by asking dumb questions! Don't live a lifetime in ignorance because you were too afraid to look stupid by asking a dumb question! Isn't it interesting that only "the wise" ask questions.

Great or small, give it your all.

You can't expect Million Dollar answers to 10¢ prayers!

The definition of "insanity" is doing the same thing over and over again and expecting different results!

Don't compete...Create!

**What you can walk away from
...you have conquered
What you cannot walk away from
...has conquered you!**

You are precious! Life is a Gift...don't trash it!

All of us are self-made but only the successful will admit it! (Earl Nightingale)

Never use your energy to crush the spirit of another person

Stop making the other person wrong!

The difference between life and school is that in school you get the lesson first and then you get the test. In life you get the test first and then you get the lesson!

If people are not laughing at your dreams, your dreams are not big enough! If you are not willing to do that which is ridiculous, you cannot achieve that which is spectacular! (Willie Jolley)

Tough times never last, but tough people do! (Robert H. Schuller)

Problems are your opportunities. Never let your problems become your excuses!

The bitterness of poor quality lingers on after the sweetness of price.

Some people only see the problems in opportunities, some people see only the opportunities in problems!

Work hard while you are young and you will enjoy it because you have full use of your physical and mental abilities; so you will be able to enjoy yourself when you are older. If you enjoy yourself when you are young, you will have to work harder when you are older and it will agonizing because you won't have full use of your physical and mental abilities!

The most powerful force in the world is a fully convicted person with a vision that has been burned into every cell of his or her existence. Famous Dave Anderson

Speak with clarity not cleverness.

Don't spend a lifetime fulfilling the dreams of someone else!

Yesterday's Strength is History and Today's Knowledge is Wealth

Yesterday, natural resources defined power. Today knowledge is power.

Yesterday's leaders commanded and controlled. Today's leaders empower and coach.

Yesterday's leaders were warriors. Today's leaders are facilitators.

Yesterday's leaders demanded respect. Today's leaders encourage self-respect.

Yesterday manager's hoarded knowledge to make them look important, creating job security. Today managers understand that job security is created by how successful they are in passing on what they know.

Yesterday employees took orders. Today, teams make decisions.

Yesterday production determined availability. Today quality determines demand.

Yesterday value was extra. Today value is everything.

Today knowledge is now the key raw material for creating all economic wealth.

Building Your “University on Wheels” Audio Success Library

The following audio books can be purchased at any Barnes & Nobles, Border’s book store or on line at Amazon.com.

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Les Brown

The Pursuit of WOW!
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Dare To Win
Mark Victor Hansen/
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Being Your Own Boss
Denis Waitley

Celebrate Life
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Success Is A Choice
Rick Pitino

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Pat Riley

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Ken Blanchard and
S. Truett Cathy

The One Minute Millionaire
Mark Victor Hansen and
Robert G. Allen

How To Build a Network of
Power Relationships
Harvey MacKay

Positive Attitude Books

The One Minute Millionaire	Mark Victor Hansen/ Robert G. Allen
The 21 Irrefutable Law of Leadership	John C. Maxwell*
Empires of the Mind	Denis Waitley
Dare To Win	Jack Canfield/ Mark Victor Hansen
How to Win Friends & Influence People	Dale Carnegie
Think and Grow Rich*	Napoleon Hill
See You At The Top*	Zig Ziglar
The Greatest Salesman in the World*	Og Mandino
The Bible	
The Magic of Thinking Big	David J. Schwartz, PhD
Success Through a Positive Mental Attitude	Napoleon Hill and W. Clement Stone
The Winner's Edge	Dr. Denis Waitley
The Power of Positive Thinking*	Norman Vincent Peale
The Power of Your Subconscious Mind	Dr. Joseph Murphy
Live Your Dreams	Les Brown
Don't Sweat the Small Stuff... and it's all small stuff	Richard Carlson, Ph.D.
You Can Make It Happen	Stedman Graham
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* Recommended to read first... Put the pure, the clean, the powerful, the positive into your mind!

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If you enjoyed Dave's presentation, he would like to have your comments in writing. They will be used as testimonial letters sent to schools and community organizations. If you would like to find out about scheduling Dave for a presentation to your group, please contact: Patty at (612) 294-1300 or write

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8901 Wallace Road
Eden Prairie, MN 55344*

Honorable Ben Nighthorse Campbell,
Chairman, Committee on Indian Affairs
United States Senate
Washington, D.C. 20510-0401

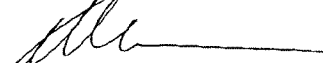
OCT 30 2003

Dear Mr. Chairman:

Enclosed please find my responses to the written questions submitted following my confirmation hearing before the Senate Indian Affairs Committee on October 22, 2003.

If I can be of further assistance, please do not hesitate to call me.

Sincerely,



David W. Anderson

Enclosures

cc: Honorable Daniel K. Inoué,
Vice Chair
Committee on Indian Affairs
United States Senate

BIA Assistant Secretary-Designate Anderson

1. Question: Too often the President's Budget request for Indian programs does not request the resources necessary to effectively address or remedy the long standing problems in Indian country. How do you propose to ensure that the President's Budget request for Indian programs with the Department of Interior is more reflective of the actual needs of Indian country?

Answer: I am informed that the BIA has established a BIA/Tribal Leaders Joint Advisory Budget Council. I understand that these consultation meetings with the tribes at the National Budget Meeting were an integral part of early budget formulation for the FY 2004 budget. This Council allows tribes and the BIA jointly to develop funding priorities. If confirmed, I look forward to working with this Council to identify the funding priorities of Indian Country.

2. Question: You have indicated that the overwhelming problems that tribal youth are facing, such as high suicide rates, dropping out of school and unemployment are among your highest priorities. How do you propose to make a difference in the lives of these youth?

Answer: This is such an important issue - it deals with the future of our country and our Native people - I am pleased to have a chance to respond. In recent years, I founded the LifeSkills Center for Youth Leadership, a revolutionary development program that profoundly transforms the lives of American Indian youth and was featured for an Angel Award in 2002 by Oprah Winfrey. Since I have been involved with the LifeSkills Center, I have committed all of my spare time and resources to helping make this a success. There are many Indian youth in our country who seem to be growing up without hope and without role models; I wanted to try and make a difference. If confirmed, I want to focus on success stories to show that it doesn't matter where a person is born or what his or her circumstances may be. Working with these young people, I want them to know that they have opportunities to succeed. We have to focus on the incredible gifts and talents God has given us. If I am confirmed, I intend to go to reservations across the country and talk with both adults and kids about working together to help strengthen Indian communities and instill hope. Young people need to know they have a chance to succeed. They need to believe in themselves. I look forward to that challenge most of all.

BIA Assistant Secretary-Designate Anderson

3. It is estimated that by Fiscal Year 2006 there will be a \$111 million shortfall in contract support costs for the Indian Health Service and Bureau of Indian Affairs programs administered by tribal governments under the authority of Public Law 93-638.

Question: Do you support self-determination contracts and compacts? Will you work with self-governance tribes to seek adequate funding for these contracts? What are your specific ideas for resolving the continued problem of under-funding?

Answer: I believe in Indian Self-Determination and BIA programs being administered by Indian tribes and tribal organizations. I hope to work with the contracting and compacting tribes that are providing services on behalf of the BIA, as well as those tribes that choose to be directly serviced by the BIA. I also plan to work with the BIA to provide the necessary training and technical assistance to assist those Tribes that wish to begin contracting BIA programs or expand existing contract operations.

4. Over the past few years, some Indian tribes have purchased or sought to purchase land that is not located on or near their reservation lands, to have the land placed into trust, and to conduct gaming on that land.

Question: Do you think that land that is not located on or near a tribe's reservation should be placed into trust for gaming purposes?

Answer: Gaming has been an important engine for economic development in Indian Country. I understand that current law authorizes and contemplates land that is not located on or adjacent to a tribe's reservation to be taken into trust for gaming. The Indian Gaming Regulatory Act (IGRA) has a specific provision for tribes that seek to game off-reservation. Under this provision, the Secretary must decide that the proposed project is in the tribe's best interest and not detrimental to the local community. The governor must then concur. I believe it is important for the Department to carefully review these applications, as required by IGRA.

BIA Assistant Secretary-Designate Anderson

5. The Department of the Interior has consistently supported the use of Environmental Assessments for evaluating the environmental impacts of placing land into trust for purposes of gaming.

Question: Will you maintain and support the use of environmental assessments on reservations to determine the impacts of economic development projects for land into trust acquisitions? If any change in the policy is contemplated, will tribal governments be consulted prior to a final determination of this policy matter?

Answer: I am advised that the policy for the Department of the Interior is one of full compliance with the requirements of the National Environmental Policy Act (NEPA) in assessing environmental impacts of proposed economic development projects on lands to be placed into trust. If confirmed, I will follow the law and related NEPA guidance in deciding what level of environmental analysis is required.

6. Question: Please explain your position on Indian preference and describe how you will implement Indian preference in hiring at the Bureau.

Answer: I am not an attorney, but I am aware that Indian preference is established in Federal law. If confirmed, I will fully comply with the legal requirements of Indian preference.

7. Question: Will you continue the policy of negotiated water settlements that enable the affected tribal governments to settle their water rights claims, and in certain circumstances, also authorize the provision of funds and land for final settlement of long-term water disputes?

Answer: It is my understanding that the Assistant Secretary - Indian Affairs, along with other Assistant Secretaries and the Solicitor, is a member of the Working Group on Indian Water Settlements which advises the Secretary on Indian water rights settlements. If confirmed, as a member of the Working Group, I will support the Administration's policy of favoring negotiated settlements, where possible.

BIA Assistant Secretary-Designate Anderson

8. Indian Reservation Roads

The Indian Reservation Roads program serves a critical function in fostering economic development and self-determination for tribes. This last year the Administration has proposed an increase in funding to \$333 million per year with removal of the obligation limitation deduction. Despite these proposed increases in funding, the Bureau of Indian Affairs is three years overdue in completing the negotiated-rulemaking necessary to effectively implement the existing Indian Reservation Roads program.

Question: What are your plans to assure the effective implementation of the Indian Reservation Roads program, particularly as it relates to the completion of the negotiated-rulemaking process? What is your view as to the need for increased tribal control over the existing Indian Roads Program? How would you propose to achieve the objective of greater tribal control over the program? What is your view as to the relationship between the Indian Reservation Roads program and tribal self-determination and what are your plans to further the goals of self-determination through the Indian Reservation Roads program?

Answer: I am not familiar with the specifics of the Indian Reservation Road Program. However, if confirmed, I will gain an understanding of this program and the issue of roads in Indian Country. At this time, I do not have a view as to the relationship between the program and tribal self-determination.

9. Question: What is your view of the sufficiency of the present appropriations for Indian Reservation Road maintenance and what is your plan to assure appropriate maintenance funding for these Indian Reservation Roads?

Answer: I am not familiar with the appropriations level for the Indian Reservation Roads Program. However, if I am confirmed, I will be happy to look into this important issue. I am well aware that infrastructure development is a necessary component of successful economic development in Indian Country.

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10. For the past several years the BIA has been reviewing the residential and business leasing regulations at 25 CFR Part 162 in order to improve the process for treatment of leases on trust land. After draft regulations were circulated during the summer of 2002, the plan was for the BIA to formally publish these proposed leasing regulations by the end of 2002. Tribes have been waiting from month to month in 2003 to receive the draft regulations so that they may comment on them. These regulations are seen as vital to the development of tribal housing and fostering economic development on trust land.

Question: What is your view on the need for these regulations? What is your timetable for having these regulations published, and what is your plan to assure for tribal consultation and input on them?

Answer: I am not familiar with the regulations to which you refer. If confirmed, I will look into this matter and look forward to discussing it with you.

11. In 2000, the Congress authorized the establishment of an Indian Lands Title Commission to act as an advisory board to help deal with issues the BIA is having with title clearance and recordation in Indian country— issues which must be handled expeditiously to enable tribal housing to be built. \$100,000 was appropriated in Fiscal Year 2003 to fund the Commission's activities. To date only the House and Senate have named their nominees for the Commission while the Administration has yet to name its four Commissioners. The Commission will not be able to begin its work until all Commissioners are appointed.

Question: What is your view of the need to assist the BIA with title clearance and recordation in Indian Country by appointing the Commissioners to the Indian Lands Title Commission? What is your timetable for appointing the Administration's four Commissioners to the Indian Lands Title Commission?

Answer: I have been informed that the BIA is currently in the final stages of developing a new system for title management of trust lands. If I am confirmed, I will be happy to look into this.

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12. a. Question: Please identify the legal authority supporting the position expressed in Ms. Martin's testimony that the proposed legislation may violate the Recommendations Clause.
12. b. Question: Please provide the Committee with alternative language that would cure S.420 of the perceived constitutional infirmity, while achieving the substantive goal of the proposed legislation.
12. c. Question: Please identify other Federal statutes which have been held by a court to violate the Recommendations Clause.
12. d. Question: If the Department has identified any provisions of Title 25 of the U.S. Code which, in the Department's view, are invalid by reason of a violation of the Recommendations Clause, please identify those provisions.

Answer: These questions seek specific responses which I am not yet in a position to provide. If confirmed, I will examine S. 420 in depth and discuss with the Solicitor's office the Constitutional and other issues that underlie Ms. Martin's testimony.

13. Question: What is the source of the legal requirement that the extension of Federal recognition to a tribal group requires the "historical continuity of a unified community under one leadership or government?"

Answer: As I have stated in answers to other legal questions, I am not an attorney. If confirmed, I would be happy to work with the Solicitor's office to explore the source of the legal requirement to which you refer.

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14. Question: What are the *constitutional* criteria that must, in the Department's view, be met before a group of Native Americans can be recognized as an Indian tribe by legislation under the authority of the Indian Commerce Clause of the Constitution?

Answer: This is a legal question for the Department of the Interior of which I am not yet an employee. If confirmed, I will work with the Solicitor's office and the Bureau of Indian Affairs on this important issue.

15. Question: Is it the Department's view that all Native American groups now recognized by the Department of the Interior as Indian tribes meet the constitutional requirements set forth in the response to the previous question? If not, please identify which tribes that are currently Federally-recognized do not meet these constitutional requirements.

Answer: The tribes that are currently Federally recognized have rich and diverse histories of dealing with the United States. This is a legal question for the Department of the Interior. If I am confirmed I would be pleased to work with members of the Committee on specific issues of interest to them.

16. Question: If there are any Federally-recognized tribes that do not, in the opinion of the Department, meet the constitutional requirements for recognition as an Indian Tribe, what steps, if any, does the Secretary intend to take to verify or terminate their status as Federally-recognized tribes?

Answer: I am unaware of any plans to take action that would affect the status of any Federally-recognized tribes.

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17. Question: Does the Secretary of the Interior have the legal authority to approve development or construction of energy projects (including, but not limited to, mines, powerlines, pipelines, power generation facilities, etc.) on tribal lands without the consent of the relevant tribal government? If so, please identify all applicable statutes or regulations providing such authority as well as relevant court decisions upholding the assertion of such authority.

Answer: Unless there were unusual facts or circumstances, it would seem to me that the best course would be to approve an energy project on tribal lands only with the consent of the tribal government. However, if you would like me to review this matter with the Solicitor's office if I am confirmed, I will be happy to do so.

18. Question: Does the Secretary of the Interior have the legal authority to approve development or construction of energy projects (including, but not limited to, mines, powerlines, pipelines, power generation facilities, etc.) on tribal lands where such development or construction would be contrary to the law or ordinances of the relevant tribal government? If so, please identify all applicable statutes or regulations providing such authority as well as relevant court decisions upholding the assertion of such authority.

Answer: Please see my answer to question # 17.

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19. Question: Please submit copies of all certifications made to Congress by the Special Trustee or Acting Special Trustee of the "consolidated Trust Management budget proposals" for FY 2003 and FY 2004 pursuant to 25 USC 4043 (c)(5)(a), together with copies of the budget proposals themselves.

If any of the information or documents requested herein relating to the American Indian Trust Fund Management Reform Act of 1994 cannot be provided, please state the reason or reasons why the requested information or documents cannot be provided.

Answer: I do not know if a process to certify the budget proposal pursuant to the Reform Act has been developed. If confirmed, I expect to confer with the Special Trustee for American Indians about this and other matters.

20. Question: I am a strong supporter of our nation's tribal colleges. Over the last three decades, 34 tribal colleges have been established to help Native Americans of all ages reach their fullest potential. More than 30,000 students from 250 tribes nationwide attend tribal colleges. Federal resources - especially core funding support from the Department of the Interior - are vital to these colleges. These colleges do not receive state support, as other community colleges do, and their students and communities can provide only modest financial support. The federal investments in tribal colleges have already paid great dividends in terms of employment, education, and economic development; continuation and expansion of this investment makes sound fiscal sense.

This year, the Administration proposed a \$4 million cut, which would result in a 10 percent cut in funding for the colleges. Given that the colleges are already operating on a shoe string budget, this cut would be devastating.

Question: Under your leadership, will the Department begin to more adequately fund the programs of the nation's tribal colleges?

Answer: I, too, am a strong supporter of quality education and advanced education opportunities for American Indians of all ages. Education is the key to solving many of the problems faced by the Indian community today.

Question: Will you commit toward providing the colleges with the \$6,000 per student authorized level?

Answer: I am not in a position to make any specific budget commitments at this time. If I am confirmed, I plan to work with tribes, the BIA, and others in developing an Indian budget that best addresses the needs and priorities of Indian Country.

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21. Question: United Tribes Technical College: For the past two years, the Administration has proposed eliminating funding for United Tribes Technical College in Bismarck, North Dakota. United Tribes is the only intertribal controlled postsecondary vocational institution in the country. Prior to this Administration, funding was provided for the college in every budget since 1981. UTTC provides valuable educational opportunities to students from over 40 tribes across the nation, as well as services for their families. UTTC does not receive assistance under the Tribally Controlled College or University Assistance Act; therefore it is dependent on funds from the BIA to keep the college up and running.

Question: Do you believe that UTTC is a valuable institution and will you commit to providing funding for the college in future budget requests?

Answer: Indian education is an important priority for this Administration and for me. I believe in providing quality higher education opportunities to Indian people of all ages. If confirmed, I would be pleased to work with you to learn more about this important issue.

22. School Construction: I am deeply concerned about the tremendous backlog of new school construction in Indian country. While we have made progress in recent years in tackling the \$1 billion school construction backlog, more must be done. We have children attending schools that are in abominable condition, and I believe this is preventing them from receiving a quality education.

Question: What new ideas do you have to help address this problem and how do you plan to implement them?

Answer: I know that addressing this issue is a priority for Secretary Norton as part of the President's goal to eliminate the construction backlog by 2006. If confirmed, I certainly plan to be an active participant in meeting that goal.

BIA Assistant Secretary-Designate Anderson

23. BIA Roads: The Indian Reservation Road (IRR) system comprises over 50,000 miles of roads, but over two-thirds of those roads are unpaved. In addition, about 140 of the 753 bridges owned by the BIA are currently rated as deficient. Even though the IRR system has perhaps the most rudimentary infrastructure of any transportation network in the country, over 2 billion vehicle miles are traveled annually on the system.

The Federal Highway Administration, in its most recent assessment of the nation's highways, bridges, and transit, noted that only 34 percent of paved IRR roads are in good condition, 37 percent are fair, and 29 percent are poor.

Many roads on the reservations in North Dakota are barely passable. In the winter and spring, deep snow and mud overwhelm the roads, keeping people from work and children from school. I have heard from tribal elders who in the dead of winter fear that help will not be able to reach them if they are trapped in their homes without food or heating fuel.

Question: How do you propose we address the crumbling network of roads in Indian country?

Answer: It is important that the Federal government include the tribes in Federal infrastructure programs, particularly roads. If confirmed, I would like to visit North Dakota to meet with the tribes and then work with you to address their priority infrastructure needs.

24. BIA Reorganization: The BIA is currently undergoing a reorganization to address the management of the trust funds that is coming with some significant costs. That reorganization has received lukewarm reception at best from Tribes. Tribes are rightfully concerned that the Department will target more resources to this effort at the expense of its other trust responsibilities to provide health care, education and housing.

Question: Do you believe that the federal government's trust responsibility to provide health care, education, and housing is equally important as ensuring proper management of the trust funds? Can you assure me that the other trust obligations to provide for education, health care, and housing will not suffer funding cuts as a result of this reorganization? Will you commit to meeting with tribes to discuss their concerns with the reorganization?

Answer: I recognize the importance of the Federal government's responsibility to provide health care, education, and other services to Indians. It is my understanding that the reorganization of the BIA is intended to assist the Bureau in fulfilling its obligations to meet the needs of Indian country. I am informed that a number of tribal consultation meetings regarding the reorganization are ongoing. If confirmed, I will work closely with tribes and this Committee on any major issues affecting Indian Country.

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25. Economic Development: Slow economic growth and limited employment opportunities have typified life in Indian Country for far too long. While some tribes have seen success with gaming and other business opportunities, far too many tribes still suffer from a lack of jobs, high unemployment and poverty. Despite a national unemployment rate of 6.1 percent, the jobless rate on the reservations in my state of North Dakota averages 63 percent.

Question: Given your extensive background in business and job creation, what creative ideas do you have to spur economic development in Indian Country?

Answer: One of my first priorities, if confirmed, would be to gain an understanding of tribal economic development priorities. I hope to work with tribes and this Committee to implement effective strategies to facilitate successful economic development. I also believe it is important to reach Indian youth. Indian youth are the future of Indian Country. If confirmed, I will be out talking with Indian youth and showing them how they can set goals and be successful. Inspiring Indian youth to become successful is one of the most important things we can do to create long-term economic development in Indian Country.

26. Question: Tribal Sovereignty: The United States has a government-to-government relationship with tribes that should be honored. As Assistant Secretary for Indian Affairs, will you oppose efforts to erode tribal sovereignty?

Answer: I respect and honor the unique government-to-government relationship that the Federal government shares with Indian tribes. As I discussed at my confirmation hearing, if confirmed, I will work vigorously to preserve and protect tribal sovereignty.

BIA Assistant Secretary-Designate Anderson

27. Question: Tribal Consultation: I feel very strongly that better consultation and coordination with Indian tribes when developing policies, regulations, etc., affecting Indian country is an important component of our long-held federal policy of Indian self-determination. As the Assistant Secretary for Indian Affairs, will you regularly consult with tribes on the policies and regulations developed by the Interior Department that affect them?

Answer: I support consultation with Indian tribal governments. In addition, consultation is a fundamental part of Secretary of the Interior Gale Norton's operating principles. I have also found in both my business life and in my work with Indian youth that openly discussing difficult issues is one of the best ways to bring people together.

28. Question: Funding Needs. A recent US Commission on Civil Rights report has found that the federal government has failed to provide funding for adequate health care, law enforcement, housing, and education programs for Native Americans, despite the great needs that continue to exist. Given these great needs and the federal trust responsibility we have to Indian people, will you submit budgets for the BIA that adequately and accurately reflect the needs in Indian country?

Answer: I understand the BIA and the Department are concerned about the resource needs in Indian country. Given current fiscal constraints, I believe it is critical that budget requests reflect the highest priority needs of the Tribes. Consultation with tribes during the budget process is an important way of doing this. The BIA has established a BIA/Tribal Leaders Joint Advisory Budget Council. I understand that these consultation meetings with the tribes at the National Budget Meeting are an integral part of early budget formulation for the FY 2004 budget. This Council allows tribes and the BIA jointly to develop funding priorities. If confirmed, I look forward to working with this Council to identify the funding priorities of Indian Country.

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29. Question: Tribal Colleges: I believe that tribal colleges are a key to economic development and economic success for Native Americans. As a member of the President's Board of Advisors on Tribal Colleges and Universities, I hope you have had the opportunity to see first-hand how important the tribal colleges are. As you know, tribally controlled colleges are dependent on federal support because they are located on federal trust territory and are only (at the most) 25 years old, so they do not have an alumni base or financial reserves. The Tribal Colleges Act authorizes funding of \$6,000 per enrolled full-time Indian student, but even with the increase in funding I fought for and won in the Senate's FY 2004 Interior bill, the colleges would be funded at only \$4,228 per student in FY 2004. Will you be supportive of efforts to increase tribal college funding to the authorized level of \$6,000 per student?

Answer: I, too, am a strong supporter of quality education and advanced education opportunities for American Indians of all ages. Education is the key to solving many of the problems faced by the Indian community today. I am not in a position to make any specific budget commitments at this time. If I am confirmed, I plan to work with tribes, the BIA, and others in developing an Indian budget that best addresses the needs and priorities of Indian Country.

30. Question: United Tribes Technical College: I also wanted to make you aware of an institution in Bismarck, North Dakota called United Tribes Technical College. UTTC is the only intertribal-controlled postsecondary vocational education institution in the country, and the vocational and technical training its students receive is not provided at the tribally controlled community colleges. UTTC is not funded under the Tribally Controlled Community Colleges and Universities Act, but instead relies on funding appropriated separately by Congress in the Interior budget. Recent Presidential budgets have proposed eliminating funding for UTTC, but Congress has always restored that funding. Will you be supportive of UTTC by providing funding for it in your BIA budget?

Answer: Indian education is an important priority for this Administration and for me. I believe in providing quality higher education opportunities to our Indian people of all ages. If confirmed, I would be pleased to work with you to learn more about this important issue.