

Remarks by Mr. Lujan
Subcommittee on Indian and Alaska Native Affairs
Legislative Hearing H.R. 1158 (Rehberg), H.R. 1560 (Reyes)

Thank you, Mr. Chairman. To begin, I'd like to welcome my Colleagues from Montana and Texas at the witness table today, Congressman Rehberg and Congressman Reyes, whose bills we have the pleasure of learning more about today. Both bills, H.R. 1158 and H.R. 1560, provide solutions to longstanding issues facing tribes from both the congressmen's districts. I look forward to hearing their testimonies.

I'd also like to give a special welcome to Lieutenant Governor Hisa of the Ysleta Del Sur Pueblo – a Pueblo Indian Tribe that has close ties to New Mexico and one that I have had the pleasure of visiting with in the past at various All Indian Pueblo Council meetings. - I was fortunate to be at the AIPC traditional meeting held at KEWA Pueblo for the Ysleta Del Pueblo Sur inauguration ceremony back in 2010. I appreciate your appearance here today and thank you for making the long journey to Washington to represent your people. Welcome!

The first piece of legislation we will hear witnesses on today is Mr. Rehberg's bill, H.R. 1158, which addresses two issues facing the Northern Cheyenne Tribe: **(1)** the federal government's failure to obtain, for over 100 years, the subsurface mineral rights on 8 sections of Northern Cheyenne Reservation land currently owned by Great Northern Properties ("GNP"), which is the largest owner of coal reserves in the U.S. other than the federal government; and **(2)** the federal government's transfer 533 million tons of federal mineral rights on the Tribe's ancestral homelands to the State of Montana without adequate tribal consultation or consideration of potential impacts development of those tracts would have on the Tribe's Reservation.

To resolve these issues, the bill would authorize the Secretary of the Interior to transfer subsurface mineral rights to 8 sections of federal land managed by the Bureau of Land Management to "GNP" in exchange for GNP's transfer to the Tribe the rights to the subsurface of 8 sections of land within the Reservation.

For its part, the Tribe will waive and release its breach of trust claims against the United States for the federal government's failure to resolve the Tribe's split estate and for the federal government's conveyance of federal coal tracts located on the Tribe's ancestral homelands to the State of Montana.

I look forward to learning more about the details of this bill, particularly with respect to how the mineral estates on the tracts to be exchanged are valued, and how the bill's objective – to settle longstanding claims against the United States by a tribal beneficiary – factors into that analysis.

The second piece of legislation we will hear witness on is H.R. 1560 – a bill to amend the **Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act** to allow Ysleta del Sur Pueblo Tribe to determine blood quantum requirements for membership in their own tribe.

This bill is very important to me because of the implications it has upon the ability of this tribe to determine the outcome of its own future. The Pueblo of Ysleta Del Sur has endured many struggles to reach this point today. Effectively Congressman Reyes' bill would allow Ysleta del Sur Pueblo to determine blood quantum requirement for membership in their own tribe, an inherent right of all but 2 of the 565 federally recognized Indian tribes in the United States. This bill is about allowing Ysleta Del Sur to create a foundation for its own future based upon the needs of its tribal citizenry and the principles of tribal self-governance and self-determination.

Tribal membership is rooted in the very notion of sovereignty and is critical to the preservation and protection of Pueblo people and their culture. No other entity should be in charge of determining who is qualified to be a tribal member other than the tribe itself. There is no doubt that support for this legislation means understanding and respecting tribal sovereignty because it reflects the ability of a sovereign tribe to carry on their own culture and traditions.

Ysleta del Sur Pueblo has the broad support of Pueblo tribes by virtue of its membership in the All Indian Pueblo Council, an organization made up of New Mexico's 19 Pueblos. After being absent for over 330 years, Ysleta del Sur Pueblo recently rejoined the Pueblo Council to take its rightful place among its fellow Pueblos, charging itself with promoting social justice and the common welfare of all Pueblo people.

I ask my colleagues to support Ysleta Del Pueblo Sur in its efforts to determine its own membership by swiftly approving H.R. 1560.

Thank you again Mr. Chairman for the opportunity to hear this very important bill and I look forward for the opportunity to ask questions.

Thank you.