



Committee on Natural Resources U.S. House of Representatives

Chairman Doc Hastings

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Witnesses Agree on the Need for Tribal Involvement in Cobell Settlement's Land Buy-Back Program

WASHINGTON, D.C. – Today, the House Natural Resources Subcommittee on Indian and Alaska Native Affairs held an [oversight hearing](#) entitled, “*Implementing the Cobell Settlement: Missed Opportunities and Lessons Learned.*” This hearing examined the delays and uncertainty in the land buyback program authorized as part of the Cobell Settlement.

The Cobell Settlement provided for the resolution of individual Indian claims relating to Interior Department’s mismanagement of land and funds held in trust. This settlement called for a one-time payment of \$1.9 billion to fund an Interior Department program to consolidate highly fractionated interests of Indian lands into tribal ownership. Highly fractionated trust land is difficult and costly for individual Indian land owners and the Department of the Interior to manage, holding back potential opportunities to create jobs and grow local economies.

“The Land Buy-Back program for Tribal Nations is a \$1.9 billion provision in the Cobell settlement through which the Secretary of the Interior will purchase on a willing-seller basis fractionated Indian lands and consolidate them in tribal ownership. Fractionation is a phenomenon that has plagued Indian Country for more than a century and it is a major reason why large tracts of Indian lands are unused. Unfortunately, flaws in this program are standing in the way of jobs and economic growth on these Indian lands. In order to fix this problem, the Interior Department needs work with Tribal leaders to ensure this program is working in the best interest of everyone involved,” said **Subcommittee Chairman Don Young (AK-at large)**.

Witnesses at this hearing offered their insight into the current state of the land buyback program and provided solutions to make sure this program is working in the best interest of Indian communities.

[Michael O. Finley](#), Chairman of the Confederated Tribes of the Colville Reservation that encompasses 1.4 million acres in north-central Washington State, questioned the level of involvement that Indian tribes have in administering the land buy-back program. Finley said that many tribes are “*concerned about the level of involvement they will be allowed to have in implementing the program.*” He then offered solutions to ensure tribal involvement in this program. “*The Buy-Back program is divided into four phases: outreach, land research,*

valuation, and acquisition. It is imperative that those tribes with the capacity be allowed to perform all phases, but especially the acquisition phase.”

John Berrey, Chairman of the Quapaw Tribe located in northeast Oklahoma, highlighted the importance of this program but added *“there are real opportunities being missed and, as we all know, this program is probably our last, best shot to re-consolidate Indian lands and make them economically viable again.”* Berrey noted his tribe’s success in implementing *“one of the most sophisticated and successful Indian land consolidation programs in the country”* but even with his tribe’s success, it has been excluded from the Buy-Back program enacted in the Cobell Settlement. Berrey then called for the federal Buy-Back program to be *“open, especially to tribes such as ours that have made viable, cost-effective proposals, and that have a proven track record of actually accomplishing the goals of Indian land consolidation.”*

Gary Burke, Chairman of the Board of Trustees of the Confederated Tribes of the Umatilla Indian Reservation, echoed John Berrey’s testimony noting the success of his tribe’s land program. *“The experience and expertise of our Tribal Land Program, which had led the Tribal effort to restore our Reservation land base over the past thirty years, is critical to the success of each phase of the Land Buy-Back Program.”* While expressing frustration with the application process, Burke told the Committee that his tribe is eager to be a part of the federal Land Buy-Back Program and *“to learn about what has worked, what has underperformed and what has failed in the implementation of the Land Buy-Back Program on other reservations.”*

Mark Azure, President of the Fort Belknap Indian Community representing the Assiniboine and Gros Ventre tribes, while eager to implement the federal Buy-Back program, noted the Interior Department’s lack of response to his community’s repeated requests for action on this program. Azure underscored the need for this program and the positive effect it would have on his community. *“If we could administer the purchase program, local jobs will be created. The services needed to support these administrative efforts will support local businesses. Purchase funds will go to individuals who often are unemployed otherwise. Their families and extended families will all benefit, as will local businesses.”*

Grant Stafne, of the Fort Peck Tribal Executive Board representing the Assiniboine and Sioux Tribes of the Fort Peck Reservation, called the Interior Department’s process to implement the Land Buy-Back program *“insulting”* and that it *“appears to benefit the federal government first, and Indian beneficiaries, in this case, Tribes second.”* Stafne offered a solution to better implement the Buy-Back program. *“In order to ensure that our land use goals are realized, the Department must consult with us. The BIA should expend the proceeds of the Buy-Back program only in a manner that reflects the needs of the Reservation community.”*

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