

## **The Rosebud Sioux Tribe**

Testimony of Mr. Rodney M. Bordeaux, President,  
Rosebud Sioux Tribe.

(As given by Ms. Patricia Douville, Council Member of the Rosebud Sioux Tribe.)

LEGISLATIVE HEARING on HR 887 (D. Young) to direct the Secretary of the Interior to submit a report on Indian land fractionation, and for other purposes.

Tuesday, April 5, 2011  
11:00 AM  
Longworth HOB – Room 1334

Subcommittee on Indian and Alaska Native Affairs

April 5<sup>th</sup>, 2011

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Good morning Chairman Doc Hastings and Committee members. On behalf of the Rosebud Sioux Tribe, the Sicangu Lakota Oyate, I would like to thank you and the committee for convening this hearing to direct the Secretary of the Interior to submit a report on Indian land fractionation, and for other purposes. My name is Patricia Douville and I am a member of the Tribal Council of the Rosebud Sioux Tribe and am testifying today in that capacity.

Although now considered a single Indian tribe, the Rosebud Sioux Indian Reservation, is historically a confederation of 7 bands and sub-bands from all over the mid-west and central and southern Canada. The present-day Rosebud Reservation is located in South-Central South Dakota and was established by the authority of the 1868 Great Fort Laramie Treaty.

The Indian Reorganization Act of June 18, 1934, also known as the Wheeler-Howard Act or informally, the Indian New Deal, was a U.S. federal legislation which secured certain rights to Native Americans, including Alaska Natives. These include activities that contributed to the reversal of the Dawes Act's privatization of common holdings of American Indians and a return to local self-government on a tribal basis. The Act also restored to Native Americans the management of their assets, being mainly land, and included provisions intended to

create a sound economic foundation for the inhabitants of Indian reservations. Section 18 of the IRA conditions application, or membership, of the IRA on a majority vote of the affected Indian nation or tribe within one year of the effective date of the act (25 U.S.C. 478). The IRA was the initiative of John Collier Sr., Commissioner of the Bureau of Indian Affairs from 1933 to 1945.

The Rosebud Sioux Indian Reservation ratified the IRA on June 18, 1935 and now called itself the Rosebud Sioux Tribe. Sub sequentially, on April 07, 1943, the Rosebud Sioux Tribe forms Tribal Land Enterprise (TLE) under the authority of the act to actively pursue and purchase tribal allotted lands that would have traditionally been lost by the Patent-Fee process.

TLE historically becomes one of the first tribally owned and operated land consolidation programs in the United States. Since 1943 TLE now has in its control over 800,000 plus acres. These acres are used by the tribe for agricultural, economic development, and of course, tribal member residential use.

The Rosebud Sioux Tribe has proven to the Department of Interior and the Bureau of Indian Affairs that tribes have the capability, the knowledge and the foresight to control the destiny of its tribal lands. After all, isn't it true that we Native Americans and Alaskan Natives should know what is in our best interest?

The Cobell Settlement brings forth many questions to me, my tribe, and those tribes who were affected by the failure of the Bureau of Indian Affairs to properly provide "trust management" of our individual allotted tribal members.

Chairman Hasting what is paramount in "Indian Country" today, with this settlement, is the following; cap the lawyer fees to 50 million dollars, secondly, ensure that the tribes whom were wronged by the Department of Interior and the Bureau of Indian Affairs are properly and justly provided with the settle funds for repurchasing of fractionated or restricted lands.

What worries me, Mr. Chairman, is the problem of the BIA administering these repurchasing funds with a time limit that is stipulated within the settlement agreement to a period of ten years. Mr. Chairman is it peculiar that those who violated the trust responsibility that put this federal government in a lawsuit, which it lost, is again in control of these dollars?

Mr. Chairman if this committee has the authority to act and make recommendations then please consider that tribes also lost lands due to the Homestead Acts which some would argue violated our great treaties. The allowance for tribes to purchase fee lands, within their original boundaries, with these settlement dollars would help correct historic injustices. Thank you.