

**Committee on Natural Resources
Subcommittee on National Parks, Forests, and Public Lands
Legislative Hearing
1324 Longworth House Office Building
June 5, 2019
10:00 a.m.**

**Legislative Hearing on
H.R. 1373 and H.R. 2181**

Questions from Rep. Gosar for Ms. Delora Hesuse

1. Chair Haaland read a statement from Representative Lujan to you during the hearing: "The BLM has testified that this legislation would not affect tribal interests or allottees, while the bill itself includes language that recognizes the rights of Navajo allottees such as yourself, Ms. Hesuse, to continue to develop their lands." Rep's Haaland and Lujan are referring to testimony from BLM's Mike Nedd on May 16th before the Senate Committee on Energy and Natural Resources, Subcommittee on Public Lands, Forest and Mining regarding S. 1079. However, what they're referring to is an answer to a specific question from Senator Mike Lee: "Do you know how tribal allottees and horizontal drilling on allotted lands might be affected by the protection zone and by this legislation?" Mr. Nedd answered "It is my understanding that Tribal and allottees would not be affected by this withdrawal. However, there will be challenges given the intermixing of public, tribal and private land and of course the geography of the lands." Taken in context, it appears that Mr. Nedd was not saying that BLM had studied the impacts of the bill, but was just referring to the plain language of the bill. He appears to be agreeing with your testimony about how it will be difficult to develop allottee minerals if federal lands are closed off. Could you elaborate on why it will be difficult to develop allottee minerals if an exclusionary zone is enacted by this bill?

The "bill" would put off limits to mineral rights of thousand allottee's. While the "bill" claims not to affect mineral rights, in fact, many allottee lands are surrounded with federal lands and other lands.

If B.L.M. lands are withdrawn around our allotments, that means oil and gas companies cannot access our lands, because they won't be able to access the federal lands. No need for a Buffer Zone - Companies are compliance;

Currently, numerous Navajo Allotment Lands in Nageezi, NM are leased for new oil and gas development, but no development has taken place on these allotment lands due to leases not being approved for new oil and gas development on BLM lands in Nageezi, NM. Majority of BLM lands are adjacent to Navajo allotment lands. Navajo allotment owners are being told that proposed leases on BLM lands are not being approved due to proposed amendments to Range Management Plan have not been approved. Proposed amendments to the Range Management Plan not being approved has dramatically impacted new oil and gas development on Navajo allotment lands that have been leased out for new oil and gas development. Creating the 10 miles buffer zone will have the same impact as the proposed amendments not being approved to the Range Management Plan. New oil and gas development on just Navajo allotment lands in Nageezi, NM will not be economical for oil and gas companies. Basically it means, if the buffer zone is created there will be no new oil and gas development in Nageezi, NM.

Thank You,
Delora Heasler

Questions for the Record by Republican Members

Questions from Representative Curtis

1. Chairwoman Haaland read a statement from Representative Lujan to you during the hearing: "The BLM has testified that this legislation would not affect tribal interests or allottees, while the bill itself includes language that recognizes the rights of Navajo allottees such as yourself, Ms. Hesuse, to continue to develop their lands." Rep's Haaland and Lujan are referring to testimony from BLM's Mike Nedd on May 16th before the Senate Committee on Energy and Natural Resources, Subcommittee on Public Lands, Forest and Mining regarding S. 1079. However, what they're referring to is an answer to a specific question from Senator Mike Lee: "Do you know how tribal allottees and horizontal drilling on allotted lands might be affected by the protection zone and by this legislation?" Mr. Nedd answered "It is my understanding that Tribal and allottees would not be affected by this withdrawal. However, there will be challenges given the intermixing of public, tribal and private land and of course the geography of the lands."

Taken in context, it appears that Mr. Nedd was not saying that BLM had studied the impacts of the bill, but was just referring to the plain language of the bill. He appears to be agreeing with your testimony about how it will be difficult to develop allottee minerals if federal lands are closed off. Could you elaborate on why it will be difficult to develop allottee minerals if an exclusionary zone is enacted by this bill?

The "bill" would put off limits to mineral rights of thousand allottees. While the "bill" claims not to affect mineral rights, in fact, many allottee lands are surrounded with federal lands and other lands. If BLM lands are withdrawn around our allotments, that means oil and gas companies cannot access our lands, because they won't be able to access the federal lands. No need for a Buffer Zone-Companies are in compliance.

Currently, numerous Navajo Allotment Lands in Nageezi, NM are leased for new oil and gas development, but no development has taken place on these allotment lands due to leases not being approved for new oil and gas development on BLM lands in Nageezi, NM. Majority of BLM lands are adjacent to Navajo allotment lands. Navajo allotment owners are being told that proposed leases on BLM lands are not being approved due to proposed amendments to Range Management Plan have not been approved. Proposed amendments to the Range Management Plan not being approved has dramatically impacted new oil and gas development on Navajo allotment lands that have been leased out for new oil and gas development. Creating the 10 miles buffer zone will have the same impact as the proposed amendments not being approved to the Range Management Plan. New oil and gas development on just Navajo allotment lands in Nageezi, NM will not be economical for oil and gas companies. Basically it means, if the buffer zone is created there will be no new oil and gas development in Nageezi, NM.

Thank You,
Delora Heausel