

**Delora Hesuse  
Navajo Indian Allottee  
Nageezi Chapter**

**Testimony Before the House Committee on Natural Resources,  
Subcommittee on National Parks, Forests and Public Lands**

**Legislative Hearing on H.R. 2181 Chaco Cultural Heritage Area Protection Act  
June 5, 2019**

Chairwoman Haaland, Ranking Member Young and members of the subcommittee, thank you for the opportunity to bring voice to those Navajo tribal members who are being forgotten with this bill—Indian allottees.

I am Delora Hesuse, a citizen of the Navajo Nation, Nageezi Chapter. My chapter is in the Greater Chaco region and near the Chaco Culture National Historic Park. My grandmother was a Councilwoman for the Nageezi Chapter for eight years, and my father was a Navajo Nation Council Delegate for the Nageezi Chapter for twenty years.

Many people don't understand our Native American heritage and the fact that many individual Navajo Nation members such as I own private lands and the minerals underneath them. This is a steadfast personal property right that sustains our livelihoods and way of life. H.R. 2181 would put many of our mineral rights off limits and stop a much-needed source of income to feed, shelter, clothe and protect our families. I'm not exaggerating the importance of this income. In 2015, the Federal Indian Minerals Office distributed \$96 million to 20,835 allottees.<sup>1</sup> That's a significant source of income in an area that continues to struggle with unemployment.

My ancestors were allotted the land and mineral rights by the United States government many generations ago, and it pains me to see that my own leaders, both tribal and in the U.S. House of Representatives and Senate, are supporting a bill that would put my oil and natural gas rights off limits and/or seriously prevent my family from receiving income from the valuable energy resources that we own.

I am not alone. Many other Indian allottees in the Greater Chaco region agree with me. In fact, I have here a petition signed by 131 of us allottees opposing this buffer zone bill.

I also have with me another petition signed by many allottees that states that the environmentalists' voice is not our voice. Our voices as Allotted landowners are being silenced by environmentalists claiming to speak for all of us. These lands were given to our great, great grandparents in exchange for citizenship, and we have rights as citizens and landowners to develop our lands for oil and gas as we see fit.

I also have two resolutions from the Huerfano and Nageezi chapters signed by our chapter presidents supporting us Navajo Allotment landowners and recognizing our opposition to this bill. These chapter

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<sup>1</sup> [\*Final Audit Report: Bureau of Indian Affairs' Federal Mineral Office\*](#), Office of the Inspector General, U.S. Department of the Interior, February 3, 2017.

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resolutions call for a meeting with Senators Udall and Heinrich so that we can express our concerns with the bill and how it will limit our rights.

I am disappointed that the Department of the Interior, which is supposed to manage our mineral rights in trust to the benefit of my family and all other allottees, has stopped leasing for a full year. This action delays income to us allottees in the short term, but more importantly, sends a strong signal to oil and gas companies that generate the income on our behalf that investment in the area is risky and uncertain in the long term.

I have been participating actively in the Resource Management Planning (RMP) process which is under pressure from environmental groups and others opposed to responsible oil and natural gas development in the area. I continue to feel that the Interior Department and members of Congress are ignoring the voice of Indian allottees and listening only to environmental groups like Diné Care and other outside groups that want to keep oil and natural gas from being developed at all.

Besides not being realistic, it would deprive my family of income to sustain our way of life. Our voices should and must be heard equally along with the environmental special interest groups. In fact, with the Interior Department's trust responsibility, our voices should carry much more weight than that of outside special interests, but that is not the case with this bill.

The bill would put off limits my mineral rights and the mineral rights of thousands of allottees. While the bill claims not to affect my mineral rights, in fact, many allottee lands are surrounded by federal lands that would be withdrawn by this bill. 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.

Furthermore, since the oil and gas is accessed using horizontal drilling, putting the federal lands and minerals off limits will mean my minerals are also off limits. Because of the checkerboard pattern of lands, where allottee lands are often surrounded by BLM lands, particularly in the northeast segment of the buffer, if companies cannot access all minerals along the lateral of a horizontal well, they will not access any.

Companies will simply be discouraged from developing the minerals on my behalf because it just doesn't make sense economically or technologically to pinpoint my small amount of minerals stranded amongst federal minerals. What may be small to them, however, is not small to me. Companies will be discouraged from developing in all areas of the buffer at all, even on allottee lands.

I too care deeply about the Chaco cultural heritage. After all, I'm a Navajo who lives right in the Greater Chaco region. But the Chaco Culture National Historic Park already protects the Great Houses. Artifacts that may be outside the park are protected through the National Historic Preservation Act. Any development of my minerals and the minerals of other allottees is done in strict accordance with the act, to make sure they are protected. Not only do we insist upon it, but that is the law of the land.

I urge the committee not to pass this bill. Thank you for the opportunity to testify today.