

Congressman Mike Simpson
Testimony for Subcommittee on Indian and Alaska Native Affairs
H.R. 5049 and H.R. 5050
July 29, 2014

Chairman Young, thank you for including H.R. 5049 and H.R. 5050 as part of today's hearing. I'm pleased to have an opportunity to testify on these bills, and I'm looking forward to the testimony of Shoshone-Bannock Tribal Chairman Nathan Small. These bills are simple but significant pieces of legislation addressing issues that impact the Shoshone-Bannock Tribes.

First, let me touch on H.R. 5049, the Blackfoot River Land Exchange Act of 2014. This bill provides a needed fix to a long-standing problem regarding the northern boundary of the Fort Hall Reservation. Since its designation in 1867, the Blackfoot River has been the designated boundary of the reservation. However, in the 1960's a Corps of Engineers flood control project changed the flow of the river, leaving some tribal land located north of the river and some non-Indian land located on the south side.

For years the tribes and affected landowners have collaborated to find a solution to this problem that works for all. H.R. 5049 is that solution. The bill is a simple land exchange that would make both the tribes and the affected land owners whole. H.R. 5049 is the result of cooperation and give and take, and I look forward to seeing it move quickly in the House of Representatives.

Now let me speak briefly about H.R. 5050, the May 31, 1918 Act Repeal Act. As its name suggests, H.R. 5050 would repeal a 1918 Act that gave the federal government authority to unilaterally take Shoshone-Bannock tribal land out of trust and transfer it to a local government for use as a township. This act is antiquated, and any purpose it may have served toward its stated goal of providing trading opportunities for the tribes has long since expired. Today, thanks to an MOU dating back to 2009, the local county government has granted jurisdiction over the remaining town site to the tribes for law enforcement, emergency services, and roads and infrastructure.

It's time to wipe this 1918 law off the books. From a practical standpoint, the tribes are already managing the land in question, for which the county has no interest in being responsible. From a more general point of view, allowing the federal government the authority to unilaterally take tribal land out of trust violates the spirit of the relationship the government *should* have with the tribes. Repealing the act is the right and sensible thing to do.

As I conclude today, I would like to note that both H.R. 5049 and H.R. 5050 have been introduced by my colleagues in the Senate and were unanimously passed out of committee. I look forward to moving these bills swiftly through the legislative process so that the tribes can move on from these issues.

Once again, Chairman Young, I appreciate the opportunity to testify on these bills.