

TESTIMONY
OF
MICHAEL BLACK
DIRECTOR OF THE BUREAU OF INDIAN AFFAIRS
UNITED STATES DEPARTMENT OF THE INTERIOR
BEFORE THE
SUBCOMMITTEE ON INDIAN, INSULAR AND ALASKA NATIVE AFFAIRS
HOUSE NATURAL RESOURCES COMMITTEE
U.S. HOUSE OF REPRESENTATIVES
ON
H.R. 2538, THE “LYTTON RANCHERIA HOMELANDS ACT OF 2015”

JUNE 17, 2015

Chairman Young, Ranking Member Ruiz, and Members of the Subcommittee, my name is Michael Black and I am the Director of the Bureau of Indian Affairs. Thank you for the opportunity to present the Department of the Interior’s (Department) views on H.R. 2538, a bill taking certain lands located in the County of Sonoma, California into trust for the benefit of the Lytton Rancheria of California (Tribe), and for other purposes.

Taking land into trust is one of the most important functions that the Department undertakes on behalf of Indian tribes. Homelands are essential to the health, safety, and welfare of the tribal communities. Thus, this Administration has made the restoration of tribal homelands a priority. This Administration is committed to the restoration of tribal homelands, through the Department’s acquisition of lands in trust for tribes, where appropriate. The Department supports H.R. 2538, with some amendments.

H.R. 2538 will place approximately 511 acres of land into trust for the Tribe. H.R. 2538 references a map titled “Lytton Fee Owned Property to be Taken into Trust” dated May 1, 2015 that identifies the lands to be transferred into trust for the Tribe. Under H.R. 2538, once the land is in trust for the Tribe, valid existing rights, contracts, and management agreements related to easements and rights-of-way will remain. H.R. 2538 includes a restriction that the Tribe may not conduct any gaming activities on any land taken into trust pursuant to this Act.

H.R. 2538 also references a Memorandum of Agreement between the County of Sonoma and the Tribe. The MOA affects not only the trust acquisition covered in the legislation but also future acquisitions and subjects the Tribe to the land use/zoning authority of the County for most of the property identified in the legislation for the term of the MOA, twenty (22) years, and imposes negotiated restrictions on the Tribe's residential development.

This Administration is supportive of legislative efforts to take land into trust for tribes. The Administration is also supportive of counties and tribes negotiating agreements to resolve their differences. The decision to compromise principles of tribal sovereignty is itself an exercise of sovereignty and tribal self-governance. In that spirit, the Administration defers to the decision made by the Tribe.

Thank you for the opportunity to present the Department's views on this legislation. I will be happy to answer any questions the Subcommittee may have.