

**Prepared Statement of Ben Nighthorse Campbell
Vice Chairman - Senate Committee on Indian Affairs
Joint Hearing of the Senate Indian Affairs and Energy and Natural Resources Committees
On The "T'uf Shur Bien Preservation Trust Area Act" (S.2018)**

April 24, 2002

Good afternoon. I would first like to thank the Chairman of both the Committee on Energy and Natural Resources and the Committee on Indian Affairs for scheduling this hearing and having *most if not all of the affected parties* in a way that is respectful of their views.

It is my understanding that the exact location of the eastern boundary of the Sandia Pueblo has been an issue of some controversy for nearly decades now.

As our current Interior Solicitor, Mr. Meyers, addresses this issue, he can rely on one of two opinions issued by two of his predecessors.

Both of those opinions came to the exact opposite conclusion on whether the Department has the authority to reconsider the boundary.

There is at least one part of Solicitor Leshy's opinion that seems helpful. Mr. Leshy found that a new survey was necessary but postponed the implementation of his opinion in the hope that the parties would reach an agreement that would make such a survey unnecessary.

The question I would like to have answered from each witness is whether you agree that we should continue to try to reach a settlement or whether we should continue to allow each new Interior Solicitor to take his or her best shot and then have each opinion risk being overturned in court.

Finally, because of the possibility that this bill may be used as a model or template for similar controversies, I trust that the Indian Affairs Committee, where I serve as Vice-Chairman, will have the opportunity to formally review the bill and consider any changes to address such concerns.

I thank the Chair and I look forward to hearing each of the witnesses.