



Testimony of the Hopi Tribe

**Before the U.S. House of Representatives
Committee on Natural Resources
Subcommittee on Federal Lands**

**Legislative Hearing on
H.R. 4532, the Shash Jáa National Monument and Indian Creek National Monument Act**

January 30, 2018

Introduction

Chairman McClintock, Ranking Member Hanabusa and Members of the Subcommittee, thank you for the opportunity to testify on H.R. 4532, the Shash Jáa National Monument and Indian Creek National Monument Act. I am Clark W. Tenakhongva, the elected Vice-Chairman of the Hopi Tribe and the Hopi Tribe's Commissioner for the Bears Ears Commission. The Hopi Tribe appreciates this opportunity to testify to provide the Committee with an understanding of our undisputable connection to the Bears Ears National Monument, and to object to the new proposed management of the Bears Ears National Monument through the December Presidential Proclamation and H.R. 4532.

The Hopi Tribe is a sovereign nation, recognized as such by the United States, located in northeastern Arizona. The Hopi reservation occupies part of Coconino and Navajo counties in Arizona, encompasses more than 1.5 million acres, and is made up of 12 villages on three mesas. Our ancestral lands, cultural resources, and sacred sites extend into central and southern Utah and western Colorado. We became a member of the Bears Ears Inter-Tribal Coalition to help protect these lands and resources through the establishment of the Bears Ears National Monument.

The Bears Ears Inter-Tribal Coalition includes: the Hopi Tribe, Pueblo of Zuni, Ute Indian Tribe, the Navajo Nation, and the Ute Mountain Ute Tribe. The Coalition worked with a

grass roots tribal organization for nearly a decade for the designation of the Bears Ears National Monument and the protection of its sacred and priceless cultural and natural resources. We proposed that a 1.9 million acre monument be established. Ultimately, a 1.35 million acre Bears Ears National Monument was designated by President Obama on December 28, 2016, through Presidential Proclamation No. 9558.

The Hopi Tribe opposes H.R. 4532. A representative of the Bears Ears Inter-Tribal Coalition first testified on H.R. 4532 at a Subcommittee hearing on January 9, 2018. As noted at that hearing, H.R. 4532 would diminish tribal voices in the management of these important places. Further, H.R. 4532 emphasizes multi-use management including increased motorized vehicle use and increased grazing that would put these sensitive places at risk. The Bears Ears Inter-Tribal Coalition's January 9, 2018, testimony provided a discussion of the problems with H.R. 4532 and why the Subcommittee and Committee should not approve it. The Hopi Tribe agrees with that testimony.

Hopi Connection to Bears Ears

To Hopi people, the Bears Ears National Monument is a spiritually occupied landscape. For example, the two spires near Bluff are *Pokanghoyat*, "War Twins." This land is a testament of Hopi stewardship through thousands of years, manifested by the "footprints" of ancient villages, sacred springs, migration routes, pilgrimage trails, artifacts, petroglyphs, and the physical remains of buried *Hisatsinom*, the "People of Long Ago," all of which were intentionally left to mark the land as proof that the Hopi people have fulfilled their Covenant.

Hopi migration is intimately associated with a sacred Covenant between the Hopi people and *Màasaw*, the Earth Guardian, in which the Hopi people made a solemn promise to protect the land by serving as stewards of the Earth. In accordance with this Covenant, the Hopi Katsina, Badger, Flute, Parrot, Bow, Greasewood, Bearstrap, Snake, Tobacco, Rabbit and Deer Clans traveled through and settled on lands in and around southeastern Utah during their long migration to *Tuuwanasavi*, the Earth Center on the Hopi Mesas. The people of these clans still reside at Hopi today.

The Hopi Tribe claims cultural affiliation to ancestral Puebloan cultural groups in the Bears Ears National Monument and the Hopi Tribe has continually supported the identification and avoidance of prehistoric archaeological sites. We consider the prehistoric archaeological sites of our ancestors to be "footprints" and Traditional Cultural Properties. Attached to this testimony are pictures of some of the places in the Bears Ears Region that are immensely important to us. For instance, the first two pictures are pictures of what is known as the "Perfect Kiva." The well-maintained kivas from the *Hisatsinom* - the People of Long Ago - exemplify the important cultural and spiritual connection that specific objects within Bears Ears provide to the Hopi, among others. Ancestral kivas, like those of today, were entered by a ladder stretching from the roof down to the center of the floor. Kivas are still used in ceremonies today, and one

merely has to compare our Tribal Seal to these two pictures to understand that we are connected to this place. It is our understanding that the “Perfect Kiva” will no longer be included within the new monument boundaries as proposed by H.R. 4532, and thus lose that protection. The other attached pictures are also sites that show our connection to this important region.

The Hopi Tribe is fully aware that over the last few decades the archaeological, natural and geographic resources in the region have been severely impacted by looting, industrial development, and increased motorized and recreational access, including inappropriate all-terrain vehicle use. As a result of that and the importance of this region, in 2014 the Hopi Tribe sent a letter to the President supporting action to designate the greater Cedar Mesa area as a National Monument and the Hopi Tribe participated in the Bears Ears Inter-Tribal Coalition that developed the Bears Ears National Monument Proposal.

The purpose of the Antiquities Act is to set aside and preserve places like the Bears Ears National Monument for generations to come and protect them from destructive exploitation. Through a Hopi Tribal Council Resolution in March, 2016, the Hopi Tribe formally supported the establishment of Bears Ears National Monument and later in that year, the Bears Ears National Monument was established.

Since then, the Hopi Tribe has participated with the Bears Ears Tribal Commission and Federal agencies in the collaborative management of the Monument. The Hopi Tribe’s participation in the management of the Bears Ears National Monument through the Hopi Commissioner is critical to maintaining Hopi culture and tradition, as well as to protecting and managing Hopi cultural resources, our footprints, and our ancestors.

The Proclamation dated December 4, 2017 cut the boundaries of Bears Ears National Monument by 85%, from 1.35 million acres to 201,876 acres, revoking, replacing and dismantling the Bears Ears National Monument. H.R. 4532 seeks to codify this action.

H.R. 4532 creates new management councils that are not composed of tribally elected representatives and excludes the Hopi Tribe altogether. As you heard at the hearing on January 9, to which the Hopi Tribe was not invited and one tribal spokesperson was forced to testify on behalf of five tribes, the Hopi Tribe is a member of the Bears Ears Inter-Tribal Coalition that adamantly opposes H.R. 4532. H.R. 4532 would drastically affect some of our most important cultural resources and leave us out of the newly proposed management councils.

The Hopi Tribe leads the litigation known as *Hopi Tribe et.al. v Trump*, showing the importance of Bears Ears to us. And therefore, we also lead the choir urging you not to legislatively reduce the boundaries in any way, and to move ahead on developing the management plan for the Bears Ears National Monument with the contributions of the Bears Ears Commission of Tribes as originally envisioned by the Hopi Tribe and the Inter-Tribal Coalition. The Hopi Tribe cannot work in support of a bill, H.R. 4532, that would legislatively confirm the

President's action dismantling a decade of collaborative work to establish Bears Ears National Monument.

We appreciate the Tribal, Congressional, and the Public support to protect Bears Ears National Monument and to maintain the current boundaries. Therefore, the Hopi Tribe supports H.R. 4518, Bears Ears Monument Expansion Act and Durbin/Udall Senate bill that would expand the Bears Ears Monument.

We invite you to come to Hopi to sit down, eat with us, and meet our people. The Hopi people are a people of peace. And so we invite you to Hopi to come in and eat, and we can explain to you in more than five minutes the responsibilities of being Hopi and why this place is so important to us.

Conclusion

The Bears Ears region is immensely important to the Hopi Tribe. It is a part of our history and who we are as a people. We have worked since time immemorial to uphold our sacred covenant to protect the land by serving as stewards of the Earth, and continue to do so today in opposing any efforts to abolish and reduce the Bears Ears National Monument. We stand united with the tribes represented before you today, to express our adamant opposition to this effort to abolish or reduce Bears Ears.