



H.R. 5780, THE UTAH PUBLIC LANDS INITIATIVE FACT SHEET

September 15, 2016

The Utah Public Lands Initiative would take more than 100,000 acres of the Ute Indian Tribe's Reservation Lands for the State of Utah.

Not since the late 1800's has Congress attempted to take Indian lands that were reserved as tribal homelands.

These 100,000 acres are within the oil and gas rich Uintah Basin, the very resources that the Tribe uses to fund its government, provide for its members and support the local and regional economy.

These lands are currently managed by the Bureau of Land Management (BLM), but are still Indian lands as Congress has never taken Indian title to these lands.

BLM assumed management administratively, there is no Congressional act giving BLM management over lands within an Indian reservation.

The Tribe has asked the Secretary of the Interior to restore these lands to trust status under the Indian Reorganization Act of 1934 as the western side of the Tribe's Reservation was restored and as many other reservation lands have been restored.

The 10th Circuit Court of Appeals has repeatedly held that these lands, the Tribe's Uncompahgre Reservation, has never been diminished nor disestablished. The Supreme Court twice refused to overturn this holding.

Contrary to claims from Congressman Bishop and the State, the 10th Circuit Court of Appeals has admonished the State and local governments from continuing to pursue their claims.

In 2015 the 10th Circuit said, "A system of law that places any value on finality — as any system of law worth its salt must — cannot allow intransigent litigants to challenge settled decisions year after year, decade after decade, until they wear everyone else out."

The Utah Public Lands Initiative would also violate federal law and the federal-tribal trust relationship by increasing state, county and local government decision-making and jurisdiction over another 300,000 lands within the Ute Indian Tribe's Reservation.

Despite 4 years and 1200 meetings with local stakeholders, Congressmen Bishop and Chaffetz did not discuss these proposals with the Ute Indian Tribe until after releasing their Discussion Draft on January 20, 2016.

The Ute Indian Tribe's 4.5 million acre Reservation makes up 26% of the land area of the 7 counties involved in the Utah Public Lands Initiative.