

**Raymond Maxx,
Chairman, Navajo-Hopi Land Commission
Testimony Before the
Senate Committee on Indian Affairs
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My name is Raymond Maxx. I am the Chairman of the Navajo-Hopi Land Commission, which is the Navajo Nation Council entity responsible for overseeing Bennett Freeze matters.

Thank you for this opportunity to speak about S. 531, legislation that would formally strike from the U.S. code the provisions authorizing a development freeze in the western portion of the Navajo Nation.

On November 3, 2006, the Navajo Nation, the Hopi Tribe and Secretary Kempthorne signed an intergovernmental compact in Phoenix settling the litigation over the western portion of the Navajo Nation that had been subject of a federal development restriction, commonly referred to as the Bennett Freeze. It was a wonderful day and signaled a new beginning for all the parties.

Because my family was relocated twice by the Federal government, and now lives in the former Bennett Freeze area, I have first hand knowledge of what conditions are like. When we

relocated to the Bennett Freeze area in the late 1970's, I don't think my parents fully understood that you could not fix your home in the Bennett Freeze; that you could not make additions; that no Federal, Tribal or State programs could assist your community through the building of infrastructure essential to the health and well-being of any community. As a result, the Bennett Freeze was locked into the poverty of 1966, when the freeze was imposed.

For the families who live in the former Bennett Freeze area, so long as the authority for the Freeze remains in the U.S. Code, there also remains a fear that it could be reimposed. Passage of S. 531 would send a powerful signal that all parties have begun the process of moving on from the divisive disputes of the past. It would also ensure that there are no ambiguous interpretations which could lead to the re-imposition of the development freeze.

In addition to passing S. 531, I would encourage the Committee to hold a field hearing on how the Bennett Freeze area can be redeveloped and what level of Federal support should be provided.

Thank you for this opportunity to provide testimony on S. 531.