



August 22, 2019

The Honorable Mitch McConnell
Senate Majority Leader

The Honorable Charles Schumer
Senate Minority Leader

The Honorable John Thune
Senate Majority Whip

The Honorable Nancy Pelosi
Speaker of the House

The Honorable Steny Hoyer
House Majority Leader

The Honorable Kevin McCarthy
House Minority Leader

Dear Senate and House Leadership,

On behalf of the Native American Rights Fund and the Western States Water Council, we are writing to express and reiterate our strong support for legislation authorizing pending tribal water rights settlements and securing settlement funding through an extension of the Reclamation Water Settlements Fund. The Indian Water Rights Settlement Extension Act has been introduced in both the Senate (S. 886) and the House (H.R. 1904) to amend Section 10501 the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407) and extend the Fund. The Senate Indian Affairs Committee unanimously ordered S. 866 reported on July 17, with an amendment in the nature of a substitute. The House Natural Resources Committee held hearings on H.R. 1904 on April 4, and we testified in support of the bill. We urge you to support expeditious action on this legislation.

We strongly support negotiated settlements of Indian reserved water rights as a means of ensuring the reliability of water supplies for both tribal and non-tribal communities, and providing the certainty needed to promote economic development and create jobs on and off reservations. Once authorized by the Congress, these settlements often languish waiting for federal funding to implement their provisions. The 2009 Act provided a stable and dependable source of funding for construction of critical infrastructure authorized by the Congress as part of settlements and set priorities for spending. However, those monies have been committed and are insufficient to cover the cost of authorized settlements and meet future needs without extension of the Fund.

These settlements and related water projects are vital investments in both tribal and non-tribal communities across the Nation with a substantial return on investment. They also fulfill long neglected federal trust obligations, which until settled, expose taxpayers nation-wide to expensive litigation and court decrees that may provide water to tribes without the resources to develop that water. Settlements provide an opportunity for win-win solutions and merit bipartisan support. Particularly in the West, water resources are scarce and well-defined rights offer greater opportunities to develop more efficient and equitable water markets.

We encourage you to support a strong fiscal commitment to these settlements through extension of the Reclamation Water Settlements Fund. Thank you for your consideration.

Sincerely,

John Echohawk
Executive Director, Native American Rights Fund

Tony Willardson
Executive Director, Western States Water Council