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Hearing to address contentious tribal water rights issues June 29, 2016

The Senate Indian Affairs Committee held a hearing led by Chairman John Barrasso (R-WY) to discuss bills addressing contentious tribal water rights in Montana and Arizona (S. 3013 and S. 2959) and repealing obsolete laws relating to Native Americans (S. 2796).

Introduced by Sen. Tester (D-MT), S. 3013 would implement the Confederated Salish and Kootenai Tribes (CSKT) water rights compact, a difficult settlement given that it addresses tribal rights outside reservation boundaries. Tribal leaders emphasized that the water infrastructure projects and wetland restoration initiated by this bill are of utmost importance for the future water security of tribes on the Flathead Reservation in Montana. While Aletta Belin from the Department of the Interior (DOI) expressed support for the compact's goals, she challenged the \$2.3 billion dollar price tag. Sen. Daines (R-MT) was also concerned about the hefty price tag.

Meanwhile, Sen. Tester was more optimistic about the bill and pressured Belin to provide a timeframe in which the DOI could reach an agreement with CSKT, noting that negotiations between the state of Montana and local tribes have been ongoing for over 10 years.

Attention then turned to S. 2959, a bill addressing the drinking water needs of the White Mountain Apache Tribe (WMAT) in eastern Arizona, whose current well is contaminated with radium. Sen. McCain (R-AZ), who introduced S. 2959, has prioritized this bill because the WMAT cannot meet the water needs of a future population. Despite the urgency of the situation, the DOI requires additional project plans and impact analysis in order to entirely support it.

All tribal leaders believed that S. 2796 would strengthen Native American ties with the federal government. Both parties and the DOI supported this bill, as it would repeal obsolete and hostile language regarding the Native American relationship with the U.S. government.

Sources: E & E Daily, Montana Department of Natural Resources and Conservation