

[DRA] #1829 Heads Up on Congressional Bills Related to WATER and Indian Country

Wednesday, December 21, 2016
3:00 PM

| | |
|-------------|---|
| Subject | [DRA] #1829 Heads Up on Congressional Bills Related to WATER and Indian Country |
| From | DRA |
| To | DRA; Citizens Newswire |
| Sent | Monday, December 19, 2016 7:44 PM |
| Attachments |  ATT00054 |

Begin forwarded message:

From: Doyel

Date: December 19, 2016

Subject: Heads Up on Congressional Bills Related to WATER and Indian Country

Congress has been very busy accommodating Indian Tribes this session. Here's an "index" of bills nearing Obama's signature that we should study and watch.

NEWS FROM WWW.INDIANZ.COM:

"Congress wrapped up its work for the year by passing a national water bill that contains numerous benefits for Indian Country.

[S.612](#), the Water Infrastructure Improvements for the Nation Act (WIIN Act), includes at least 10 separate Indian bills. There's one [repatriation provision](#), two major infrastructure packages, three land-into-trust acquisitions and four [water settlements](#) in the 277-page measure. "Congress has taken major action on behalf of tribal communities," [Sen. John Barrasso](#) (R-Wyoming), the [outgoing chairman](#) of the [Senate Committee on Indian Affairs](#), said in a [press release](#).

Barrasso's committee advanced many of the individual components of S.612 during its ever-busy schedule these past two years. Some also saw action in the [House](#). But putting all of them into one must-pass package ensures success now that lawmakers have gone home for the year. S.612, also known as the WIIN Act, is awaiting signature from [President Barack Obama](#). "These measures will help protect Native and surrounding communities from flooding, improve aging irrigation systems, clarify water rights, take land into trust for tribes, and protect and improve lives across Indian Country. I urge the president to sign this bill into law," Barrasso said.

Two of Barrasso's more ambitious infrastructure initiatives are among those included in S.612. Dams and irrigation systems in Indian Country will finally see long-overdue attention if the bill becomes law. [S.2717](#), the Dam Repairs and Improvements for Tribes Act (DRIFT ACT), authorizes at least \$229.25 million over six fiscal years to fix aging dams on and near reservations. The amount is not enough to fully clear the \$500 million backlog that has amassed at the [Bureau of Indian Affairs](#) but it brings significant resources to a [problem that affects more than 800 dams](#) across tribal lands.

The second Indian infrastructure bill is [S.438](#), the Irrigation Rehabilitation and Renovation

for Indian Tribal Governments and Their Economies Act, or [IRRIGATE Act](#). It authorizes at least \$175 million over five fiscal years to fix and maintain irrigation systems in Indian Country. Again the amount isn't enough to fully address what the [Government Accountability Office](#) in 2006 said was a backlog of \$850 million. But it's the first time Congress has taken a comprehensive approach to the issue. Also included in S.612 are three land-into-trust bills. Tribes have been increasingly approaching Congress to help them with acquisitions and transfers that might otherwise take years through other means. [H.R.387](#), the Economic Development Through Tribal Land Exchange Act, resolves a long-running land dispute in southern California. It authorizes a land swap between the [Morongo Band of Mission Indians](#) and a private citizen and places 41 acres in trust for the tribe. "It actually makes all the parties happy," [Rep. Paul Cook](#) (R-California), one of the co-sponsors of the bill, said in [June 2015](#). [S.1822](#) benefits the [Tuolumne Band of Me-Wuk Indians](#), also in California. It places about 80 acres of [U.S. Forest Service](#) property in trust for the tribe. "The parcels are located in an area of great cultural and historical significance to the tribe and are contiguous to lands the tribe currently owns in fee simple, known simply as the Murphy Ranch," [Rep. Jim Costa](#) (D-California), one of the co-sponsors of [H.R.3079](#), an identical version of the bill, said in [July](#).

Finally, [H.R.4685](#), the Tule River Indian Reservation Land Trust, Health, and Economic Development Act, places about 34 acres of [Bureau of Land Management](#) property in trust for the [Tule River Tribe](#) in California. The land will help the tribe consolidate its holdings. "Although this may not seem like a lot of land, every acre of land is important to our tribe," Vice Chairman Kenneth McDarment told the [House Subcommittee on Indian, Insular and Alaska Native Affairs](#) in June.

In addition to the infrastructure and land-into-trust components, S.612 ratifies water settlements for the [Blackfeet Nation](#) in Montana, the [Pechanga Band of Luiseno Indians](#) in California and the [Chickasaw Nation](#) and the [Choctaw Nation](#) in Oklahoma. It also updates a previously approved settlement for [five tribes in southern California](#).

The other significant Indian provision in the WIIN Act is [S.1979](#), the Bring the Ancient One Home Act. The bill returns the remains of the [Kennewick Man](#) to five Pacific Northwest tribes. Government Accountability Office Report -- Indian Irrigation Projects: Numerous Issues Need to Be Addressed to Improve Project Management and Financial Sustainability.

PRESS RELEASE:

Water Resources Development Act Includes Several Key Provisions for Indian Country

Dec 10, 2016

WASHINGTON, D.C. — U.S. Sen. John Barrasso (R-WY), chairman of the Senate Committee on Indian Affairs, praised Congress's passage of [S. 612](#), the Water Infrastructure Improvements for the Nation Act (WINN Act), the legislative vehicle for the Water Resources Development Act, which included several key provisions for Indian Country.

"Congress has taken major action on behalf of tribal communities," **said Barrasso**. "The Water Resources Development Act included Indian bills that were passed by the committee throughout this Congress. These measures will help protect Native and surrounding communities from flooding, improve aging irrigation systems, clarify water rights, take land into trust for tribes, and protect and improve lives across Indian Country. I urge the president to sign this bill into law."

The Congress-passed S. 612 included the following:

- [S. 2717](#), the Dam Repairs and Improvements for Tribes Act of 2016 (DRIFT Act);
- [S. 438](#), the Irrigation Rehabilitation and Renovation for Indian Tribal Governments and Their Economies Act (IRRIGATE Act);
- [S. 1983](#), the Pechanga Band of Luiseno Mission Indians Water Rights Settlement

Act;

- [S. 1125](#), the Blackfeet Water Rights Settlement Act of 2015;
- [H.R. 387](#), a bill to provide for certain land to be taken into trust for the benefit of the Morongo Band of Mission Indians;
- [S. 1822](#), a bill to take certain federal land located in Tuolumne County, Calif., into trust for the benefit of the Tuolumne Band of Me-Wuk Indians;
- [H.R. 4685](#), an act to take certain federal lands located in Tulare County, Calif., into trust for the benefit of the Tule River Indian Tribe; and
- [H.R. 1296](#), a bill to amend the San Luis Rey Indian Water Rights Settlement Act to clarify certain settlement terms.

Background

[S. 2848](#), the Water Resources Development Act of 2016 passed the Senate on Sept. 15, 2016, and has been under the conference (reconciliation) process between the Senate and the House of Representatives.