

WATER IN INDIAN COUNTRY

October 2016

THE SITUATION



Many Native communities across the U.S. still do not have access to reliable water sources, clean drinking water, or basic sanitation. This problem has historically been alleviated by Congress passing Indian water rights settlements, which provide Native communities water to which they are already entitled. However, no major Indian water rights settlements have passed the House since Republicans took control in 2011, despite the introduction of numerous settlement bills.

WHAT'S THE PROBLEM?

Tribes often legally hold the most senior water rights in a given river basin. Under federal law, the federal government must protect these tribal water rights. However, for more than a century the federal government failed to fulfill this role, and in many cases has actively undermined tribal water rights to benefit non-Indian water users.

WHAT ARE WATER RIGHTS SETTLEMENTS?

Water rights settlements allow tribes, states, the federal government, and other water users to come together to resolve water claims and provide tribes with the water they are legally entitled to.

WHY SHOULD AMERICANS CARE?

Tribal families across the country are suffering. They need water to improve their health, schools need water to provide consistent education for students, and communities need water to promote economic development.

THE FACTS

~50% of all homes on tribal land lack access to adequate drinking water or sewage facilities (Indian Health Service).

Many of these **190,697 homes** lack basic services like clean, running water; flush toilets; showers or baths; and kitchen sinks. By comparison, **less than 1% of homes** lack some or all sanitation facilities in the U.S. as a whole (Indian Health Service).

WHAT'S CONGRESS DOING?

Since Republicans took control of the House of Representatives in 2011, Indian water rights settlements have stalled. Congress has not funded a single Indian water rights settlement in almost six years. In February 2015, Natural Resources Chairman Rob Bishop (R-Utah) created additional requirements and red tape for approving Indian water rights settlements through the House Natural Resources Committee.

Democrats have long supported tribes seeking their water rights and have historically supported Indian water rights settlements. Over the past 39 years, more water settlements have been enacted when Democrats controlled both chambers of Congress, as compared to when Republicans held the Majority in both chambers. In October 2016, Democrats on the Committee released a report titled *Water Delayed is Water Denied: How Congress Has Blocked Access to Water for Native Families* - <http://bit.ly/2dlZmrz>.

While some Congressional Republicans support Indian water rights settlements, Congress has not funded a single settlement since Democrats lost control of Congress.

HOW DO WE MOVE FORWARD?

Congress should start funding Indian water rights settlements, including the pending settlements for the Pechanga Band of Luiseño Indians and the Blackfeet Tribe.

