

106TH CONGRESS
1ST SESSION

S. 1965

To direct the Secretary of the Interior, the Bureau of Reclamation, to conduct a feasibility study on the Jicarilla Apache Reservation in the State of New Mexico, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 1999

Mr. DOMENICI (for himself and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To direct the Secretary of the Interior, the Bureau of Reclamation, to conduct a feasibility study on the Jicarilla Apache Reservation in the State of New Mexico, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress finds that—

5 (1) there are major deficiencies with regard to
6 adequate and sufficient water supplies available to
7 residents of the Jicarilla Apache Reservation in the
8 State of New Mexico;

1 (2) the existing municipal water system that
2 serves the Jicarilla Apache Reservation is under the
3 ownership and control of the Bureau of Indian Af-
4 fairs and is outdated, dilapidated, and cannot ade-
5 quately and safely serve the existing and future
6 growth needs of the Jicarilla Apache Tribe;

7 (3) the federally owned municipal water system
8 on the Jicarilla Apache Reservation has been unable
9 to meet the minimum Federal water requirements
10 necessary for discharging water into a public water-
11 course and has been operating without a Federal
12 discharge permit;

13 (4) the federally owned municipal water system
14 that serves the Jicarilla Apache Reservation has
15 been cited by the United States Environmental Pro-
16 tection Agency for violations of Federal safe drink-
17 ing water standards and poses a threat to public
18 health and safety both on and off the Jicarilla
19 Apache Reservation;

20 (5) the lack of reliable supplies of potable water
21 impedes economic development and has detrimental
22 effects on the quality of life and economic self-suffi-
23 ciency of the Jicarilla Apache Tribe;

24 (6) due to the severe health threats and impedi-
25 ments to economic development, the Jicarilla Apache

1 Tribe has authorized and expended \$4,500,000 of
2 tribal funds for the repair and replacement of the
3 municipal water system on the Jicarilla Apache Res-
4 ervation; and

5 (7) the United States has a trust responsibility
6 to ensure that adequate and safe water supplies are
7 available to meet the economic, environmental, water
8 supply, and public health needs of the Jicarilla
9 Apache Indian Reservation.

10 **SEC. 2. AUTHORIZATION.**

11 (a) AUTHORIZATION.—Pursuant to reclamation laws,
12 the Secretary of the Interior, through the Bureau of Rec-
13 lamation and in consultation and cooperation with the
14 Jicarilla Apache Tribe, shall conduct a feasibility study
15 to determine the most feasible method of developing a safe
16 and adequate municipal, rural, and industrial water sup-
17 ply for the residents of the Jicarilla Apache Indian Res-
18 ervation in the State of New Mexico.

19 (b) REPORT.—Not later than 1 year after funds are
20 appropriated to carry out this Act, the Secretary of the
21 Interior shall transmit to Congress a report containing the
22 results of the feasibility study required by subsection (a).

1 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated \$200,000 to
3 carry out this Act.

