

106TH CONGRESS
1ST SESSION

H. R. 3051

IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 1999

Received

NOVEMBER 19, 1999

Read twice and referred to the Committee on Indian Affairs

AN ACT

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,*

1 **SECTION 1. FINDINGS.**

2 Congress finds that—

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

7 (2) the existing municipal water system that
8 serves the Jicarilla Apache Reservation is under the
9 ownership and control of the Bureau of Indian Af-
10 fairs and is outdated, dilapidated, and cannot ade-
11 quately and safely serve the existing and future
12 growth needs of the Jicarilla Apache Tribe;

13 (3) the federally owned municipal water system
14 on the Jicarilla Apache Reservation has been unable
15 to meet the minimum Federal water requirements
16 necessary for discharging wastewater into a public
17 watercourse and has been operating without a Fed-
18 eral discharge permit;

19 (4) the federally owned municipal water system
20 that serves the Jicarilla Apache Reservation has
21 been cited by the United States Environmental Pro-
22 tection Agency for violations of Federal safe drink-
23 ing water standards and poses a threat to public
24 health and safety both on and off the Jicarilla
25 Apache Reservation;

1 (5) the lack of reliable supplies of potable water
2 impedes economic development and has detrimental
3 effects on the quality of life and economic self-suffi-
4 ciency of the Jicarilla Apache Tribe;

5 (6) due to the severe health threats and impedi-
6 ments to economic development, the Jicarilla Apache
7 Tribe has authorized and expended \$4,500,000 of
8 tribal funds for the repair and replacement of the
9 municipal water system on the Jicarilla Apache Res-
10 ervation; and

11 (7) the United States has a trust responsibility
12 to ensure that adequate and safe water supplies are
13 available to meet the economic, environmental, water
14 supply, and public health needs of the Jicarilla
15 Apache Indian Reservation.

16 **SEC. 2. AUTHORIZATION.**

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

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

5 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

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

Passed the House of Representatives November 17,
1999.

Attest:

JEFF TRANDAHL,

Clerk.