

# Congress of the United States

Washington, DC 20515

September 4, 2025

The Honorable John Thune  
Majority Leader  
United States Senate

The Honorable Mike Johnson  
Speaker of the House  
United States House of Representatives

The Honorable Charles Schumer  
Democratic Leader  
United States Senate

The Honorable Hakeem Jeffries  
Democratic Leader  
United States House of Representatives

The Honorable Mike Crapo  
Chairman  
Senate Committee on Finance  
United States Senate

The Honorable Ron Wyden  
Ranking Member  
Senate Committee on Finance  
United States Senate

The Honorable Jason Smith  
Chairman  
House Committee on Ways and Means  
United States House of Representatives

The Honorable Richard E. Neal  
Ranking Member  
House Committee on Ways and Means  
United States House of Representatives

Dear Leader Thune, Speaker Johnson, Leader Schumer, Leader Jeffries, Chairman Crapo, Ranking Member Wyden, Chairman Smith, and Ranking Member Neal,

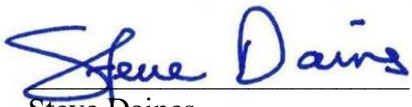
We write as members representing states and districts with pending Indian water rights settlements and settlement technical corrections. Completion of these settlements will save taxpayers millions of dollars, provide water access and certainty to Tribal and non-Tribal water users across the West, avoid years of protracted and costly litigation, and support the United States' trust responsibility to Tribes. We urge you to prioritize passage of these bills and utilize an extension of Customs User Fees to offset the costs of those that require new spending.

Indian water rights were first recognized by the Supreme Court of the United States in *Winters v. United States* in 1908. Under the *Winters* doctrine, Congressional creation of Indian reservations also implicitly reserved water sufficient to fulfill the purpose of the reservations. Without Congressional action, the fulfillment of water rights in our states will be adjudicated in court at great taxpayer expense and over the course of the next several decades. The attached settlements are the product of years of negotiations between Tribal, State, local, and Federal negotiations, passed the Senate Committee on Indian Affairs, received a hearing in the House Natural Resources Committee, and have robust support.

In 2010, Congress passed four Indian water rights settlements under P.L. 111-291. To offset the costs of these settlements, Congress also extended Customs User Fees administered by Customs and Border Protection. Currently, Customs User Fees are set to expire in 2031. The Congressional Budget Office has estimated that extending Customs User Fees through the end of Fiscal Year 2034 would decrease outlays by approximately \$16.5 billion, effectively offsetting the costs of the proposed settlements.

We urge you to consider prior precedent to offset the cost of these proposed settlements and appreciate your consideration.

Sincerely,



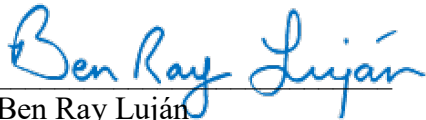
Steve Daines  
United States Senator



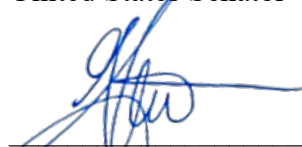
Martin Heinrich  
United States Senator



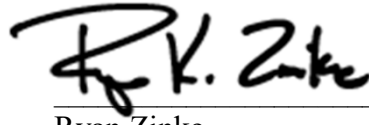
Tim Sheehy  
United States Senator



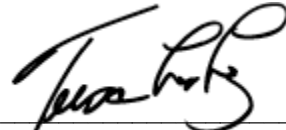
Ben Ray Luján  
United States Senator



Gabe Vasquez  
Member of Congress



Ryan Zinke  
Member of Congress



Teresa Leger Fernandez  
Member of Congress



Troy Downing  
Member of Congress



Melanie Stansbury  
Member of Congress

CC: Chairman Lisa Murkowski, Vice Chairman Schatz Brian Schatz, Chairman Westerman,  
Ranking Member Huffman

## APPENDIX PAGE

Pending legislation to enact or offer technical corrections to Indian water settlements in the 119<sup>th</sup> Congress:

- S.241/H.R.907 – Northern Montana Water Security Act
- S.240/H.R.726 – Crow Tribe Water Rights Settlement Amendments Act
- S.637/H.R.1482 – Navajo-Gallup Water Supply Project Amendments Act
- S.546 – Technical Correction to the Shoshone-Paiute Tribes of the Duck Valley Reservation Water Rights Settlement Act
- S.562/H.R.1322 – Rio San José and Rio Jemez Water Settlements Act
- S.563/H.R.1323 – Ohkay Owingeh Rio Chama Water Rights Settlement Act
- S.564/H.R.1444 – Zuni Indian Tribe Water Rights Settlement Act
- S.565/H.R.1324 – Navajo Nation Rio San José Stream System Water Rights Settlement Act
- S.640/H.R.4598– Technical Corrections to the Northwestern New Mexico Rural Water Projects Act, Taos Pueblo Indian Water Rights Settlement Act, and Aamodt Litigation Settlement Act
- S.689 – Tule River Tribe Reserved Water Rights Settlement Act