

**TESTIMONY OF
SCOTT CAMERON
PRINCIPAL DEPUTY ASSISTANT SECRETARY—WATER AND SCIENCE AND
EXERCISING THE DELEGATED AUTHORITY OF BUREAU OF RECLAMATION
COMMISSIONER
U.S. DEPARTMENT OF THE INTERIOR
BEFORE THE
SENATE COMMITTEE ON INDIAN AFFAIRS**

S. 953, Northeastern Arizona Indian Water Rights Settlement Act of 2025

March 11, 2026

Good afternoon, Chairman Murkowski, Vice Chairman Schatz, and members of the Committee. My name is Scott Cameron, and I am the Principal Deputy Assistant Secretary for Water and Science and exercising the delegated authority of the Commissioner of the Bureau of Reclamation at the Department of the Interior (Department). Thank you for the opportunity to present testimony on Indian water rights settlements and S. 953, Northeastern Arizona Indian Water Rights Settlement Act of 2025.

The Department supports the policy that negotiated Indian water rights settlements are preferable to protracted and divisive litigation. Indian water rights settlements have the potential to resolve long-standing claims to water, provide certainty to water users, promote tribal sovereignty and self-sufficiency, allow for the development of water infrastructure, improve conditions on reservations, foster cooperation among water users within a watershed, and protect existing Federal infrastructure investments and the communities and economies that rely on them. We understand that Congress has an important role in approving Indian water rights settlements, especially when they involve Federal spending, the alteration of the Tribe's reserved water rights, or the waiver of sovereign immunity, and we stand ready to work with this Committee and Members of Congress to support Indian water rights settlement negotiations. The Department is also steadfastly committed to implementing enacted Indian water rights settlements so long as the funding necessary for such implementation is available.

The framework the Department follows to guide the negotiation of Indian water rights settlements, and the support for legislation to authorize these settlements, includes four general principles set forth in the Criteria and Procedure of the Federal Government in Negotiations for the Settlement of Indian Water Rights Claim (criteria and procedures) published in 1990. First, settlements must be consistent with the United States' trust responsibilities. Second, Indian tribes must receive equivalent benefits in exchange for the rights they, and the United States as trustee, release as part of a settlement. Third, Indian tribes must obtain the ability to realize value from confirmed water rights. Fourth, settlements must contain an appropriate cost-share by all parties benefiting from the settlement. Concerns over Federal costs are an area of particular interest to the Department as we evaluate Indian water rights settlements. With over \$13 billion in Indian water rights settlements pending before Congress, we believe it is important for settling parties to have realistic expectations regarding the Federal contributions toward settlement that this Administration can support. The Administration supports building off of past models of success

for negotiating Indian water rights settlements, such as the those enacted in the President’s first term.

S. 953, Northeastern Arizona Indian Water Rights Settlement Act of 2025

S. 953 involves water rights claims for an area covering approximately 11.5 million acres, including land within the Upper and Lower Colorado River Basins. This area is home to over 100,000 Navajo, Hopi, and San Juan Southern Paiute individuals. Among other things, S. 953 would: ratify a water rights settlement agreement among the Navajo Nation, the Hopi Tribe, the San Juan Southern Paiute Tribe (collectively, Tribes), the State of Arizona, and over twenty other parties; authorize the Secretary to execute the agreement as amended to conform with S. 953; quantify the Tribes’ water rights in Arizona, including in the Upper and Lower Basins of the Colorado River; authorize and direct the Secretary and the Tribes to execute certain waivers of claims in favor of the United States and other settlement parties; appropriate \$5,136,400,000 in mandatory funding for implementation of the settlement; direct the Secretary to plan, design, and construct the iiná bá – paa tuwaqat’si pipeline (Pipeline); establish a trust fund for each of the Tribes; allocate certain Upper Basin Colorado River water to the Navajo Nation and the Hopi Tribe; authorize the Navajo Nation and the Hopi Tribe to use Upper Basin Colorado River water on reservation lands in the Lower Basin in Arizona and lease a portion of its Upper Basin Colorado River water rights in the Upper and Lower Basins in Arizona for a limited period of time; establish a “NAIW RSA System Conservation Program” using up to 17,050 acre-feet of Upper Basin Colorado River water allocated to the Navajo Nation and Hopi Tribe; and ratify a treaty between the Navajo Nation and the San Juan Southern Paiute Tribe and thereby establish a reservation for the San Juan Southern Paiute Tribe out of lands presently held in trust as part of the Navajo Reservation.

Further, S. 953, if enacted, would become part of the Law of the River and allow the Navajo Nation and Hopi Tribe to lease and exchange 17,050 acre-feet of allocated Colorado River water in the Upper and Lower Basin, for use both on- and off-reservation, within the State of Arizona. Over the last year, the Tribes have worked extensively with the Department, Arizona, and the Upper Basin States to address concerns with the implementation of this provision to ensure benefits can be realized in both basins, including whether water leased could be utilized long-term for off-reservation growth, and to ensure that the framework is implementable within the operating framework of the Colorado River after 2026. The Department supports the increased flexibility and the marketability of water for each state and each basin moving forward. The Department also supports the allowance for the Tribes to use, store, and lease Colorado River water for its inherent value to the Tribe and the principles of tribal self-determination.

While the Department supports the goals of S. 953 and recognizes the importance of delivering reliable drinking water to the Tribes, it has several concerns, including the cost of the settlement. The Department recognizes the Tribes’ efforts to address the risk of cost increases in S. 953. The Department is committed to working with the Tribes, the sponsors, and the Committee to identify opportunities to reduce the overall cost of this settlement. For instance, such opportunities could potentially include reevaluating the size and scope of the Pipeline, narrowing the authorized uses of the tribal trust funds, and finding other non-financial means of contributing towards this settlement.

The Department has significant concerns with the overall cost of S. 953 and looks forward to working with the parties, sponsors, and Committee to reach agreement on these remaining issues.